

**Representative Hall, Atlanta, Georgia****Wednesday, March 22, 2006**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

E Abdul-Salaam	Davis	Horne	Maddox	E Scheid
Amerson	Dickson	Howard, E	Manning	Scott, M
E Anderson	Dodson	Hudson	Martin	Setzler
Ashe	Drenner	Hugley	Maxwell	Shaw
Barnard	Dukes	Jackson	May	Sheldon
Bearden	Ehrhart	Jacobs	McCall	Sims, C
E Beasley-Teague	England	E James	Meadows	Sims, F
Benton	Everson	Jamieson	E Millar	E Sinkfield
Black	Fleming	Jenkins	Mills	Smith, B
E Borders	Floyd, J	Jennings	Mosley	Smith, P
Bridges	Forster	Johnson	Mumford	Smith, R
Brooks	Franklin	Jones, J	Murphy, J	Smith, T
Brown	Freeman	Jones, S	Murphy, Q	Smith, V
Bryant	Gardner	Keen	Neal	Stephens
Buckner, D	Geisinger	Keown	O'Neal	Talton
Buckner, G	Graves, D	Kidd	Parham	Teilhet
Burkhalter	Graves, T	Knight	Parsons	Thomas, B
Burmeister	Greene	Knox	Porter	Tumlin
Butler	Heard, J	Lakly	Ray	Warren
Byrd	Heard, K	Lane, B	Reece, B	Watson
Carter	Hembree	Lane, R	Reece, S	Wilkinson
Casas	E Henson	Lewis	Rice	Willard
Chambers	Hill, C	Lindsey	Roberts	Williams, E
Cheokas	Hill, C.A	Lord	Rogers	Williams, R
Cole	Holmes	Loudermilk	Royal	Yates
Coleman, B	Holt	Lunsford	Rynders	Richardson,
Cummings				Speaker

The following members were off the floor of the House when the roll was called:

Representatives Barnes of the 78th, Benfield of the 85th, Bordeaux of the 162nd, Bruce of the 64th, Burns of the 157th, Channell of the 116th, Cooper of the 41st, Cox of the 102nd, Dean of the 59th, Dollar of the 45th, Floyd of the 99th, Fludd of the 66th, Golick of the 34th, Hanner of the 148th, Harbin of the 118th, Hatfield of the 177th, Heckstall of the 62nd, Houston of the 170th, Jordan of the 77th, Lucas of the 139th, Mangham of the 94th, Marin of the 96th, Mitchell of the 88th, Morris of the 155th, Mosby of the 90th, Oliver of the 83rd, Orrock of the 58th, Parrish of the 156th, Powell of the 29th, Ralston of the 7th, Randall of the 138th, Sailor of the 93rd, Scott of the 153rd, Smith of the 70th, Smyre of the 132nd, Stanley-Turner of the 53rd, Stephenson of the

92nd, Thomas of the 55th, Walker of the 107th, Williams of the 165th, and Wix of the 33rd.

They wish to be recorded as present.

Prayer was offered by the Reverend Dr. Richard Mark Lee, Sugar Hill First Baptist Church, Sugar Hill, Georgia.

The members pledged allegiance to the flag.

Representative Heard of the 104th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

The following communication was received:

3/22/2006

Dear Mr. Clerk,

My records show that I voted "No" on HB 1473 on March 13, 2006. The Journal shows a "YES" vote. Please have the Journal reflect officially that my vote on HB 1473 was "NO".

Bobby Franklin  
District 43

By unanimous consent, the following Bills and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 1637. By Representative Bridges of the 10th:

A BILL to be entitled an Act to authorize the Juvenile Court of Habersham County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1638. By Representative Bridges of the 10th:

A BILL to be entitled an Act to authorize the State Court of Habersham County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1639. By Representative Bridges of the 10th:

A BILL to be entitled an Act to authorize the Probate Court of Habersham County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1640. By Representative Bridges of the 10th:

A BILL to be entitled an Act to authorize the Magistrate Court of Habersham County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1641. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the judge of the Probate Court of Webster County shall have the authority to appoint a person other than the clerk of the superior court to serve as clerk of the Probate Court of Webster County; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1642. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the chief magistrate of Webster County shall have the authority to appoint a person other than the clerk of the superior court to serve as clerk of the Magistrate Court of Webster County; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1643. By Representative Hudson of the 124th:

A BILL to be entitled an Act to provide that the probate judge of Glascock County shall serve ex officio as chief magistrate of the Magistrate Court of Glascock County on and after January 1, 2009; to provide an effective date; to provide for a referendum; to repeal certain Acts; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1644. By Representative Lane of the 167th:

A BILL to be entitled an Act to create a board of elections and registration for McIntosh County and to provide for its powers and duties; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to provide for the qualification, terms, and removal of members; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for expenditures of public funds; to provide for compensation of members of the board; to provide for offices and equipment; to provide for personnel and compensation; to provide for the board's performance of certain functions and duties for certain municipalities; to provide for related

matters; to provide effective dates; to provide for submission under the Voting Rights Act of 1965, as amended; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1645. By Representatives Mills of the 25th, Reece of the 27th, Benton of the 31st and Amerson of the 9th:

A BILL to be entitled an Act to create the Northeastern Judicial Circuit Public Defender Study Commission; to provide for the appointment of members; to provide for meetings and operations; to provide for powers, duties, and authority of the commission; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1646. By Representative Coleman of the 144th:

A BILL to be entitled an Act to provide for the manner of making appointments to fill vacancies in the membership of the board of the Dodge County Hospital Authority; to repeal a local law for purposes of conformity; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1647. By Representative Smith of the 113th:

A BILL to be entitled an Act to provide a homestead exemption from Oconee County ad valorem taxes for the full value of the homestead for residents of that county who are 65 years of age or over and whose gross household income exceeds \$40,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for the specific repeal of a certain prior homestead exemption; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1648. By Representative Smith of the 113th:

A BILL to be entitled an Act to provide a homestead exemption from Oconee County ad valorem taxes for the full value of the homestead for residents of

that county who are 65 years of age or over and whose gross household income does not exceed \$40,000.00; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for the specific repeal of a certain prior homestead exemption; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1649. By Representative Scott of the 153rd:

A BILL to be entitled an Act to amend Chapter 18 of Title 15 of the Official Code of Georgia Annotated, relating to prosecuting attorneys, so as to provide that power to discipline, remove, and cause involuntary retirement of district attorneys and solicitors-general shall be vested in the Judicial Qualifications Commission in the same manner as provided for judges; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HB 1650. By Representative Hatfield of the 177th:

A BILL to be entitled an Act to create a board of elections and registration for Ware County and to provide for its powers and duties; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to provide for the qualification, terms, and removal of members; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for certain expenditures of public funds; to provide for compensation of members of the board and personnel; to provide for offices and equipment; to provide for the board's performance of certain functions and duties for certain municipalities; to provide for related matters; to provide for submission under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1651. By Representative Hatfield of the 177th:

A BILL to be entitled an Act to amend an Act creating the Satilla Regional Water and Sewer Authority, previously known as the Ware County Water

and Sewer Authority, approved October 1, 2001 (Ga. L. 2001, Ex. Sess., p. 705), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3689), so as to provide for the composition and selection of the members of the authority; to provide for the appointment, term, and evaluation of an executive director; to provide for certain duties of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1652. By Representatives Jones of the 46th, Martin of the 47th, Geisinger of the 48th, Willard of the 49th, Burkhalter of the 50th and others:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Alpharetta, approved April 9, 1981 (Ga. L. 1981, p. 4609), as amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3633), so as to provide for annexation of certain property; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1653. By Representatives Neal of the 1st, Forster of the 3rd and Dickson of the 6th:

A BILL to be entitled an Act to amend an Act to reconstitute the Board of Education of Catoosa County, approved March 30, 1993 (Ga. L. 1993, p. 4258), as amended, so as to provide an increase in compensation for members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1654. By Representatives Lane of the 158th and Stephens of the 164th:

A BILL to be entitled an Act to provide a homestead exemption from Bryan County school district ad valorem taxes for educational purposes in the amount of \$50,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1655. By Representatives Lane of the 158th and Stephens of the 164th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Pembroke ad valorem taxes for municipal purposes in the amount of \$50,000.00 of the assessed value of the homestead for residents of that city who are 65 years of age or over; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1656. By Representatives Lane of the 158th and Stephens of the 164th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Richmond Hill ad valorem taxes for municipal purposes in the amount of \$50,000.00 of the assessed value of the homestead for residents of that city who are 65 years of age or over; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1657. By Representatives Abdul-Salaam of the 74th and Jordan of the 77th:

A BILL to be entitled an Act to create the Clayton County Missing Children Bureau; to provide for staffing and support; to provide for reports and investigations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1658. By Representative Smith of the 168th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Alma, approved April 4, 1967 (Ga. L. 1967, p. 2643), as amended, particularly by an Act approved May 30, 2003 (Ga. L. 2003, p. 3940), so as to change the number and the description of the council districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for eligibility and qualifications; to provide for the election of the



mayor; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1659. By Representative Smith of the 168th:

A BILL to be entitled an Act to amend an Act to revise and reenact the law creating a Board of Commissioners of Bacon County, approved April 4, 1991 (Ga. L. 1991, p. 4436), as amended, so as to provide for commissioner districts; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1660. By Representative Smith of the 168th:

A BILL to be entitled an Act to create a board of elections and registration for Bacon County and to provide for its powers and duties; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to provide for the qualification, terms, and removal of members; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for certain expenditures of public funds; to provide for compensation of members of the board and personnel; to provide for offices and equipment; to provide for the board's performance of certain functions and duties for certain municipalities; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1661. By Representative Smith of the 168th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Baxley, approved August 21, 1911 (Ga. L. 1911, p. 700), as amended, particularly by an Act approved April 13, 1982 (Ga. L. 1982, p. 4725) and an Act approved March 20, 1990 (Ga. L. 1990, p. 4134), so as to provide for the deannexation of certain territory from the corporate limits of said city; to provide for the annexation of certain territory into the corporate limits of said city; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HB 1662. By Representatives Burns of the 157th and Carter of the 159th:

A BILL to be entitled an Act to provide for an advisory referendum regarding whether Effingham County should adopt a chairperson of the board of commissioners who is elected by the entire county; to provide for an advisory referendum regarding whether Effingham County should establish a board of elections; to provide for ballot questions; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

HR 1889. By Representative Jenkins of the 8th:

A RESOLUTION honoring the memory of Micajah Clark Dyer, self-taught inventor of the North Georgia mountains and designating the Micajah Clark Dyer Parkway; and for other purposes.

Referred to the Committee on Transportation.

HR 1890. By Representatives Manning of the 32nd, Smith of the 70th, Williams of the 165th, McCall of the 30th and Hanner of the 148th:

A RESOLUTION creating the House Septage Disposal Study Committee; and for other purposes.

Referred to the Committee on Natural Resources & Environment.

HR 1918. By Representative Cooper of the 41st:

A RESOLUTION creating the Joint Comprehensive Medical Education Study Committee; and for other purposes.

Referred to the Committee on Health & Human Services.

HR 1919. By Representatives Reese of the 98th, Drenner of the 86th, Thomas of the 100th, Geisinger of the 48th and Cox of the 102nd:

A RESOLUTION expressing support for the development of biomass renewable energy sources; urging electric utilities to promote the use of renewable biomass energy; urging the Georgia Public Service Commission to encourage the state's utilities to add biomass resources to Georgia's fuel and generating assets and to encourage the development of a renewable fuels industry in Georgia; and for other purposes.

Referred to the Committee on Public Utilities & Telecommunications.

HR 1920. By Representatives Scott of the 153rd, Geisinger of the 48th, Willard of the 49th, Lindsey of the 54th, Oliver of the 83rd and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide for state-wide grand juries; to provide for the jurisdiction, powers, and duties of state-wide grand juries; to authorize the General Assembly to provide by law for procedures for the summoning and empaneling of state-wide grand juries; to provide for a presiding judge; to provide that the Attorney General or his or her designee shall act as the legal adviser and prosecutor for such state-wide grand juries; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

HR 1921. By Representatives Burkhalter of the 50th and Stephens of the 164th:

A RESOLUTION to create the House Study Committee on Funding for the Arts; and for other purposes.

Referred to the Committee on Rules.

HR 1922. By Representative Brown of the 69th:

A RESOLUTION creating the House Study Committee on Prevention Programs in Health Care; and for other purposes.

Referred to the Committee on Rules.

HR 1923. By Representatives Jacobs of the 80th, Chambers of the 81st, Oliver of the 83rd, Millar of the 79th and Jennings of the 82nd:

A RESOLUTION creating the House Study Committee on the Restructuring of DeKalb County Government; and for other purposes.

Referred to the Committee on Rules.

By unanimous consent, the following Bills and Resolutions of the House and Senate were read the second time:

HB 1635  
HB 1636  
HR 1859  
HR 1860

HR 1861  
HR 1887  
SB 664  
SR 871

Representative McCall of the 30th District, Chairman of the Committee on Agriculture and Consumer Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture and Consumer Affairs has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 380	Do Pass, by Substitute	SB 613	Do Pass
SB 453	Do Pass, by Substitute	SB 636	Do Pass, by Substitute

Respectfully submitted,  
/s/ McCall of the 30th  
Chairman

Representative Mills of the 25th District, Chairman of the Committee on Banks and Banking, submitted the following report:

Mr. Speaker:

Your Committee on Banks and Banking has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 505	Do Pass
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Respectfully submitted,  
/s/ Mills of the 25th  
Chairman

Representative Coleman of the 97th District, Chairman of the Committee on Education, submitted the following report:

Mr. Speaker:

Your Committee on Education has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 288	Do Pass, by Substitute	SB 610	Do Pass
SB 413	Do Pass, by Substitute	SB 618	Do Pass
SB 515	Do Pass, by Substitute		

Respectfully submitted,  
/s/ Coleman of the 97th  
Chairman

Representative Scott of the 153rd District, Chairman of the Committee on Governmental Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Governmental Affairs has had under consideration the following Bills and Resolution of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 286	Do Pass	SB 500	Do Pass, by Substitute
SB 409	Do Pass	SB 574	Do Pass
SB 435	Do Pass, by Substitute	SR 804	Do Pass, by Substitute

Respectfully submitted,  
/s/ Scott of the 153rd  
Chairman

Representative Willard of the 49th District, Chairman of the Committee on Judiciary, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 306	Do Pass	SB 569	Do Pass, by Substitute
SB 420	Do Pass, by Substitute	SB 573	Do Pass, by Substitute
SB 525	Do Pass, by Substitute	SB 585	Do Pass, by Substitute
SB 530	Do Pass		

Respectfully submitted,  
/s/ Willard of the 49th  
Chairman

Representative Ralston of the 7th District, Chairman of the Committee on Judiciary Non-Civil, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary Non-Civil has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 77	Do Pass, by Substitute
SB 462	Do Pass, by Substitute
SB 572	Do Pass, by Substitute

Respectfully submitted,  
/s/ Ralston of the 7th  
Chairman

Representative Rice of the 51st District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 481	Do Pass	SB 538	Do Pass
SB 523	Do Pass, by Substitute	SB 539	Do Pass

Respectfully submitted,  
/s/ Rice of the 51st  
Chairman

Representative Smith of the 70th District, Chairman of the Committee on Natural Resources and Environment, submitted the following report:

Mr. Speaker:

Your Committee on Natural Resources and Environment has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 191	Do Pass, by Substitute
SB 510	Do Pass, by Substitute
SB 578	Do Pass

Respectfully submitted,  
/s/ Smith of the 70th  
Chairman

Representative Lewis of the 15th District, Chairman of the Committee on Public Utilities and Telecommunications, submitted the following report:

Mr. Speaker:

Your Committee on Public Utilities and Telecommunications has had under consideration the following Resolution of the Senate and has instructed me to report the same back to the House with the following recommendation:

SR 1081     Do Pass

Respectfully submitted,  
/s/ Lewis of the 15th  
Chairman

Representative Ehrhart of the 36th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules has had under consideration the following Resolutions of the House and has instructed me to report the same back to the House with the following recommendations:

HR 1730     Do Pass  
HR 1856     Do Pass

Respectfully submitted,  
/s/ Ehrhart of the 36th  
Chairman

Representative Smith of the 168th District, Chairman of the Committee on State Planning and Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning and Community Affairs - Local Legislation has had under consideration the following Bills of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HB 1099	Do Pass	HB 1632	Do Pass
HB 1627	Do Pass	HB 1633	Do Pass
HB 1629	Do Pass	HB 1634	Do Pass
HB 1630	Do Pass	SB 658	Do Pass

Respectfully submitted,  
/s/ Smith of the 168th  
Chairman

Representative O'Neal of the 146th District, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. Speaker:

Your Committee on Ways and Means has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 545	Do Pass
SB 597	Do Pass, by Substitute

Respectfully submitted,  
/s/ O'Neal of the 146th  
Chairman

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR  
WEDNESDAY, MARCH 22, 2006

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 35th Legislative Day as enumerated below:

DEBATE CALENDAR

**Open Rule**

SB 95	Soil Scientists Licensing Act; regulate practice of soil science
SB 208	Central Registry for Traumatic Brain/Spinal Injuries; create state-wide
SB 244	Magistrates Retirement Fund; define terms; create board of commissioners; powers
SB 445	Civil War Commission; editorial changes; change administrative assignment; codify certain provisions
SB 506	HOPE Scholarships; set amount for mandatory fees; eligible public postsecondary institutions; January 1, 2004



SB 581 Georgia Public Safety Training Center; emergency medical personnel; provide training; change certain provisions

**Modified Open Rule**

SB 398 Criminal Proceedings; plea of insanity; revise procedures of psychiatric evaluations

**Modified Structured Rule**

None

**Structured Rule**

SB 238 Torts; immunity from civil liability for non-profit organizations

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,  
/s/ Ehrhart of the 36th  
Chairman

By unanimous consent, the following Bills of the House and Senate were taken up for consideration and read the third time:

HB 1099. By Representatives Martin of the 47th and Jones of the 46th:

A BILL to be entitled an Act to authorize the City of Alpharetta to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for related matters; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1627. By Representatives Rynders of the 152nd and Hanner of the 148th:

A BILL to be entitled an Act to amend an Act to create the Lee County Parks

and Recreation Authority, approved May 17, 2004 (Ga. L. 2004, p. 3788), so as to provide terms for members; to provide for the removal of office for cause; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1629. By Representatives Rynders of the 152nd and Hanner of the 148th:

A BILL to be entitled an Act to amend an Act creating the Lee County Utilities Authority, approved April 17, 1992 (Ga. L. 1992, p. 6419), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005, p. 3697), so as to provide for terms for authority members; to provide for removal from office of authority members under certain circumstances; to provide for related matters; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1630. By Representatives Rynders of the 152nd and Hanner of the 148th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a Board of Commissioners of Roads and Revenues, and public buildings, and public property, and finances for the County of Lee," approved August 6, 1921 (Ga. L. 1921, p. 517), as amended, so as to provide for the establishment of terms of offices for members of local authorities; to provide for the removal of members of such authorities for cause; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1632. By Representatives Coleman of the 144th and Roberts of the 154th:

A BILL to be entitled an Act to create the Historic Milan Railroad Depot Museum Authority; to provide a short title; to provide for the appointment of members of the authority; to confer powers upon the authority; to authorize the collection of the revenues, tolls, fees, charges, earnings, and contract payments of the authority; to fix and provide for the venue and jurisdiction of

actions relating to any provisions of this Act; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1633. By Representatives Lane of the 158th and Stephens of the 164th:

A BILL to be entitled an Act to provide a homestead exemption from Bryan County ad valorem taxes for county purposes in the amount of \$50,000.00 of the assessed value of the homestead for residents of that county who are 65 years of age or over; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1634. By Representatives Lane of the 158th and Stephens of the 164th:

A BILL to be entitled an Act to provide a homestead exemption from Bryan County ad valorem taxes for county purposes in the amount of \$30,000.00 of the assessed value of the homestead for residents of that county; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

SB 658. By Senator Carter of the 13th:

A BILL to be entitled an Act to amend an Act providing for the Tift County Board of Education, approved March 31, 1971 (Ga. L. 1971, p. 2722), as amended, particularly by an Act approved March 28, 1986 (Ga. L. 1986, p. 5262), and an Act approved February 16, 1994 (Ga. L. 1994, p. 3538), so as to provide for the continuation in office of the current members; to provide for the election of a chairperson; to provide for related matters; to provide for a submission pursuant to Section 5 of the federal Voting Rights Act of 1965; to provide effective dates; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Crawford	Y Hill, C.A	Y Martin	Sailor
Amerson	Y Cummings	Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Holt	Y May	Y Scott, A
Y Ashe	Y Day	Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
E Beasley-Teague	Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Drenner	Y Jackson	Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Morgan	Y Sinkfield
Y Black	Y Ehrhart	E James	Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Smith, L
Y Borders	Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Smyre
Y Bryant	Y Fludd	Y Jordan	Oliver	Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
Byrd	Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Randall	Warren
Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Hatfield	Loudermilk	Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Coleman, T	Y Hembree	Y Mangham	N Rogers	Wix
Y Cooper	E Henson	Y Manning	Y Royal	Y Yates
Y Cox	Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bills, the ayes were 129, nays 1.

The Bills, having received the requisite constitutional majority, were passed.

Representative Byrd of the 20th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bills of the Senate and House:

SB 659. By Senator Grant of the 25th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Madison, approved October 6, 1891 (Ga. L. 1890-91, Vol. II, p. 827), as amended, so as to amend, consolidate, revise, and restate such charter and amendatory Acts amending such charter; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 660. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend an Act creating a new board of education of Grady County, approved March 5, 1968 (Ga. L. 1968, p. 2120), as amended, so as to provide for the compensation of members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 666. By Senator Grant of the 25th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Milledgeville, approved December 15, 1900 (Ga. L. 1900, p. 345), as amended, particularly by an Act approved August 19, 1916 (Ga. L. 1916, p. 819), and an Act approved March 5, 1976 (Ga. L. 1976, p. 2820), and an Act approved May 22, 2003 (Ga. L. 2003, p. 3661), so as to provide for the transaction of business of the city council; to establish a quorum and the votes necessary to pass or enact any matter; to provide for meetings of the city council and notice thereof; to provide for the duties and powers of the mayor; to provide for the temporary appointment of individuals to act as city manager under certain circumstances; to provide additional duties of the city manager; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 667. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing for the appointment of the chief magistrate of Clayton County, approved March 26, 1984 (Ga. L.

1984, p. 4411), as amended, particularly by an Act approved April 2, 1998 (Ga. L. 1998, p. 4262), so as to provide a salary for the chief magistrate, to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 668. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the judge of the Probate Court of Clayton County on an annual salary, approved February 7, 1950 (Ga. L. 1950, p. 2068), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4331), so as to change the compensation of the judge of the probate court; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 669. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to make provisions related to the compensation of the judge of the juvenile court of the Clayton Judicial Circuit; to provide for the compensation of the judge from state funds and from funds of Clayton County; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 670. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, so as to provide that the solicitor-general of said court may employ such assistant solicitors-general, deputy solicitors-general, or other attorneys, investigators, paraprofessionals, clerical assistants, and other employees or independent contractors as may be authorized by the Board of Commissioners of Clayton County; to provide for compensation; to provide for qualifications; to repeal conflicting laws; and for other purposes.

SB 671. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act changing the composition and manner of selection of the Board of Education of Clayton County, approved April 12, 1982 (Ga. L. 1982, p. 4431), as amended, particularly by an Act approved April 9, 1999 (Ga. L. 1999, p. 4130), so as to change the compensation of the chairperson and members of such board; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 672. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act consolidating the offices of tax receiver and tax collector of Clayton County into the office of tax commissioner, approved August 18, 1925 (Ga. L. 1925, p. 600), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4338), so as to change the provisions relating to the salary of the tax commissioner; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 673. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing for a supplement to the salaries of the judges of the superior court of the Clayton Judicial Circuit, approved April 10, 1969 (Ga. L. 1969, p. 353), as amended, particularly by an Act approved April 16, 1999 (Ga. L. 1999, p. 4670), so as to increase the county supplement to the state salary of said judges; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 674. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the sheriff and clerk of the Superior Court of Clayton County on an annual salary, approved February 25, 1949 (Ga. L. 1949, p. 1910), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4335), so as to increase the salary of the clerk of the Superior Court of Clayton County; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 675. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4327), so as to provide for an increase in the compensation of the clerk of the state court; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 676. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the sheriff and clerk of the Superior Court of Clayton County on an annual salary, approved February 25, 1949 (Ga. L. 1949, p. 1910), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4342), so as to change the provisions relating to the compensation of the sheriff; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 677. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved March 25, 1994 (Ga. L. 1994, p. 4138), and an Act approved April 16, 1999 (Ga. L. 1999, p. 4665), so as to provide for the salaries of the judges of the state court; to provide for the salary of the solicitor-general of the state court; to provide for a county supplement; to provide conditions for an effective date; to repeal conflicting laws; and for other purposes.

SB 678. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing a county supplement to the state salary of the district attorney of the Clayton Judicial Circuit, approved March 4, 1977 (Ga. L. 1977, p. 2856), as amended, particularly by an Act approved April 9, 1999 (Ga. L. 1999, p. 4127), so as to change the amount of such county supplement; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 680. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend an Act relating to the board of commissioners of Decatur County, approved March 4, 1935 (Ga. L. 1935, p. 630), as amended, so as to restate and revise the provisions of said Act; to provide for a comprehensive restatement; to change provisions relating to the chairperson and vice chairperson of the board and their selection, service, and powers and duties; to change provisions relating to meetings, a quorum, and voting; to modernize certain provisions and language and omit certain obsolete provisions; to provide for other related matters; to repeal conflicting laws; and for other purposes.

HB 594. By Representatives Maxwell of the 17th, Hembree of the 67th, Heckstall of the 62nd, Murphy of the 23rd and Randall of the 138th:

A BILL to be entitled an Act to amend Code Section 17-6-30 of the Official Code of Georgia Annotated, relating to fees of sureties, so as to change the basis of the bondsmen's fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1014. By Representatives Tumlin of the 38th, Ehrhart of the 36th, Jones of the 44th, Golick of the 34th, Manning of the 32nd and others:



A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend the automatic repeal date for an exemption for overhead materials of a government contractor; to delete obsolete language; to repeal conflicting laws; and for other purposes.

HB 1272. By Representatives Graves of the 12th, Brown of the 69th, Ralston of the 7th, Channell of the 116th, Burmeister of the 119th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to provide for an exemption regarding sales to nonprofit volunteer health clinics; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1291. By Representatives Smith of the 131st, Rogers of the 26th, Meadows of the 5th and Murphy of the 120th:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to regulate automobile clubs; to provide definitions; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1310. By Representatives O'Neal of the 146th, Knight of the 126th, Cole of the 125th, Smith of the 131st and Mosby of the 90th:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for the comprehensive revision of provisions regarding revenue and taxation; to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of federal law into Georgia law; to change certain provisions relating to confidential information; to change certain provisions regarding forms of payment; to change certain provisions regarding extension of time for certain returns; to change certain provisions regarding sales and use tax return allowances; to provide effective dates; to provide for applicability; to repeal conflicting laws; and for other purposes.

HB 1457. By Representatives Cox of the 102nd, Casas of the 103rd, Everson of the 106th, Rice of the 51st, Floyd of the 99th and others:

A BILL to be entitled an Act to amend an Act to continue and re-create the State Court of Gwinnett County, approved March 23, 1977 (Ga. L. 1977, p.

3331), as amended, so as to change the terms of court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1494. By Representatives Smith of the 113th and Holt of the 112th:

A BILL to be entitled an Act to create a board of elections and registration for Morgan County and to provide for its powers and duties; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to provide for the qualification and terms of members; to provide for employees of the board; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for compensation of personnel; to provide for offices and equipment; to provide for construction; to provide for the board's performance of certain functions and duties for certain municipalities; to provide for the submission of this Act for approval pursuant to Section 5 of the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1519. By Representative Porter of the 143rd:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Dudley, Georgia, in the County of Laurens, approved February 18, 1977 (Ga. L. 1977, p. 2657), as amended, so as to annex certain territory into the City of Dudley and thereby change the corporate limits of such city; to repeal conflicting laws; and for other purposes.

HB 1521. By Representative Porter of the 143rd:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Dublin, Georgia, in the County of Laurens, approved April 11, 1979 (Ga. L. 1979, p. 3568), as amended, particularly by an Act approved March 26, 1987 (Ga. L. 1987, p. 4810), an Act approved March 20, 1990 (Ga. L. 1990, p. 4073), and an Act approved October 1, 2001 (Ga. L. Ex. Sess. 2001, p. 665), so as to change the corporate limits of the city; to repeal conflicting laws; and for other purposes.

HB 1522. By Representative Porter of the 143rd:

A BILL to be entitled an Act to amend an Act providing a charter for the City of East Dublin, approved April 9, 1981 (Ga. L. 1981, p. 4645), as amended, particularly by an Act approved May 17, 2004 (Ga. L. 2004, p. 3769), so as to

change the corporate limits of the city; to repeal conflicting laws; and for other purposes.

HB 1558. By Representative Burns of the 157th:

A BILL to be entitled an Act to amend an Act to incorporate and to grant a new charter to the City of Sylvania, approved March 1, 1963 (Ga. L. 1963, p. 2030), as amended, so as to change the corporate boundaries of such city; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1584. By Representatives Smith of the 113th and Holt of the 112th:

A BILL to be entitled an Act to create the Morgan County Building Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for conditions for issuance; to prohibit the pledge of credit for the payment of bonds; to provide for trust indentures and a sinking fund; to provide for payment of bond proceeds; to provide for liberal construction; to provide for severability; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate has passed by substitute, by the requisite constitutional majority, the following bills of the House:

HB 425. By Representatives Harbin of the 118th, Knox of the 24th and Watson of the 91st:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to permit insurers to provide food or refreshments under certain circumstances to current or prospective clients during sales presentations and seminars provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1066. By Representatives Manning of the 32nd, Ehrhart of the 36th, O'Neal of the 146th, Cooper of the 41st, Brown of the 69th and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, so as to change certain provisions relating to a system for screening newborns for certain metabolic and genetic disorders; to provide for the establishment of fees; to provide for religious objection to screening; to change certain provisions relating to screening for phenylketonuria, sickle cell anemia, and sickle cell trait; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1257. By Representatives Knox of the 24th, Maxwell of the 17th, Meadows of the 5th and Watson of the 91st:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to exempt certain change of address filings by agents, subagents, counselors, and adjusters from a fee; to provide for certain qualifications for a counselor's license; to provide for the maintenance by the Commissioner of Insurance of the address of the place of business of agents, subagents, counselors, and adjusters; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 1244. By Senators Johnson of the 1st, Harp of the 29th, Douglas of the 17th, Williams of the 19th, Tolleson of the 20th and others:

A RESOLUTION recognizing and thanking an American hero, General H. Norman Schwarzkopf; and for other purposes.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the Committees:

SB 659. By Senator Grant of the 25th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Madison, approved October 6, 1891 (Ga. L. 1890-91, Vol. II, p. 827), as amended, so as to amend, consolidate, revise, and restate such charter and amendatory Acts amending such charter; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 660. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend an Act creating a new board of education of Grady County, approved March 5, 1968 (Ga. L. 1968, p. 2120), as amended, so as to provide for the compensation of members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 666. By Senator Grant of the 25th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Milledgeville, approved December 15, 1900 (Ga. L. 1900, p. 345), as amended, particularly by an Act approved August 19, 1916 (Ga. L. 1916, p. 819), and an Act approved March 5, 1976 (Ga. L. 1976, p. 2820), and an Act approved May 22, 2003 (Ga. L. 2003, p. 3661), so as to provide for the transaction of business of the city council; to establish a quorum and the votes necessary to pass or enact any matter; to provide for meetings of the city council and notice thereof; to provide for the duties and powers of the mayor; to provide for the temporary appointment of individuals to act as city manager under certain circumstances; to provide additional duties of the city manager; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 667. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing for the appointment of the chief magistrate of Clayton County, approved March 26, 1984 (Ga. L. 1984, p. 4411), as amended, particularly by an Act approved April 2, 1998 (Ga. L. 1998, p. 4262), so as to provide a salary for the chief magistrate, to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 668. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the judge of the Probate Court of Clayton County on an annual salary, approved February 7, 1950 (Ga. L. 1950, p. 2068), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4331), so as to change the compensation of

the judge of the probate court; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 669. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to make provisions related to the compensation of the judge of the juvenile court of the Clayton Judicial Circuit; to provide for the compensation of the judge from state funds and from funds of Clayton County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 670. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, so as to provide that the solicitor-general of said court may employ such assistant solicitors-general, deputy solicitors-general, or other attorneys, investigators, paraprofessionals, clerical assistants, and other employees or independent contractors as may be authorized by the Board of Commissioners of Clayton County; to provide for compensation; to provide for qualifications; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 671. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act changing the composition and manner of selection of the Board of Education of Clayton County, approved April 12, 1982 (Ga. L. 1982, p. 4431), as amended, particularly by an Act approved April 9, 1999 (Ga. L. 1999, p. 4130), so as to change the compensation of the chairperson and members of such board; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 672. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act consolidating the offices of tax receiver and tax collector of Clayton County into the office of tax

commissioner, approved August 18, 1925 (Ga. L. 1925, p. 600), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4338), so as to change the provisions relating to the salary of the tax commissioner; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 673. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing for a supplement to the salaries of the judges of the superior court of the Clayton Judicial Circuit, approved April 10, 1969 (Ga. L. 1969, p. 353), as amended, particularly by an Act approved April 16, 1999 (Ga. L. 1999, p. 4670), so as to increase the county supplement to the state salary of said judges; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 674. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the sheriff and clerk of the Superior Court of Clayton County on an annual salary, approved February 25, 1949 (Ga. L. 1949, p. 1910), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4335), so as to increase the salary of the clerk of the Superior Court of Clayton County; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 675. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4327), so as to provide for an increase in the compensation of the clerk of the state court; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 676. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act placing the sheriff and clerk of the Superior Court of Clayton County on an annual salary, approved February 25, 1949 (Ga. L. 1949, p. 1910), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4342), so as to change the provisions relating to the compensation of the sheriff; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 677. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved March 25, 1994 (Ga. L. 1994, p. 4138), and an Act approved April 16, 1999 (Ga. L. 1999, p. 4665), so as to provide for the salaries of the judges of the state court; to provide for the salary of the solicitor-general of the state court; to provide for a county supplement; to provide conditions for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 678. By Senators Seay of the 34th and Starr of the 44th:

A BILL to be entitled an Act to amend an Act providing a county supplement to the state salary of the district attorney of the Clayton Judicial Circuit, approved March 4, 1977 (Ga. L. 1977, p. 2856), as amended, particularly by an Act approved April 9, 1999 (Ga. L. 1999, p. 4127), so as to change the amount of such county supplement; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SB 680. By Senator Bulloch of the 11th:

A BILL to be entitled an Act to amend an Act relating to the board of commissioners of Decatur County, approved March 4, 1935 (Ga. L. 1935, p. 630), as amended, so as to restate and revise the provisions of said Act; to provide for a comprehensive restatement; to change provisions relating to the chairperson and vice chairperson of the board and their selection, service, and powers and duties; to change provisions relating to meetings, a quorum, and voting; to modernize certain provisions and language and omit certain



obsolete provisions; to provide for other related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

The following members were recognized during the period of Morning Orders and addressed the House:

Davis of the 109th, Sims of the 169th, Cox of the 102nd, Hugley of the 133rd, Hill of the 21st, and Watson of the 91st.

The following Resolution of the House was read and referred to the Committee on Rules:

HR 1924. By Representative Maddox of the 172nd:

A RESOLUTION commending Mr. Douglas Harrell for his heroic rescue of a drowning man and inviting him to appear before the House of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bills of the Senate were taken up for consideration and read the third time:

SB 244. By Senators Hudgens of the 47th, Kemp of the 46th, Douglas of the 17th and Grant of the 25th:

A BILL to be entitled an Act to amend Title 47 of the O.C.G.A., relating to retirement and pensions, so as to create the Magistrates Retirement Fund; to define certain terms; to create a board of commissioners; to provide for appointment and terms of members of the board; to provide for the office of secretary-treasurer of the board; to provide for additional employees; to provide for a salary and fund membership; to provide for powers and duties of the board; to provide that the state auditor shall make annual audits of the fund; to provide conditions for eligibility for membership; to provide conditions for eligibility to receive a retirement benefit; to provide for a retirement benefit; to provide for benefits for surviving spouses; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL

To amend Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, so as to create the Magistrates Retirement Fund; to define certain terms; to create a board of commissioners; to provide for appointment and terms of members of the board; to provide for the office of secretary-treasurer of the board; to provide for additional employees; to provide for a salary and fund membership; to provide for powers and duties of the board; to provide that the state auditor shall make annual audits of the fund; to provide conditions for eligibility for membership; to provide for dues; to provide for an additional fee on civil actions and proceedings filed in magistrate courts to be paid to the fund; to provide conditions for eligibility to receive a retirement benefit; to provide for a retirement benefit; to provide for benefits for surviving spouses; to provide for a refund of dues; to provide for disability benefits; to provide for membership in other retirement plans; to provide for a reduction of benefits in the event of insufficient funds; to provide for an exemption from attachment and garnishment; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Title 47 of the Official Code of Georgia Annotated, relating to retirement and pensions, is amended by inserting at the end thereof the following:

**"CHAPTER 25  
ARTICLE 1**

47-25-1.

As used in this chapter, the term:

- (1) 'Average final monthly compensation' means the average monthly earnable compensation of any employee during his or her highest 24 months of creditable service.
- (2) 'Board' means the Board of Commissioners of the Magistrates Retirement Fund of Georgia.
- (3) 'Full-time chief magistrate' means a chief magistrate who regularly exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours per workweek.
- (4) 'Fund' means the Magistrates Retirement Fund of Georgia.
- (5) 'Member' means a member of the Magistrates Retirement Fund of Georgia.
- (6) 'Secretary-treasurer' means the secretary-treasurer of the Board of Commissioners of the Magistrates Retirement Fund of Georgia.

**ARTICLE 2**

47-25-20.

(a) There is created the Board of Commissioners of the Magistrates Retirement Fund of Georgia. The board shall consist of seven members as follows:

- (1) The Governor or the Governor's designee;
  - (2) An appointee of the Governor who is not the Attorney General; and
  - (3) Five full-time chief magistrates who are members of the fund.
- (b) The members of the board provided for by paragraph (3) of subsection (a) of this Code section shall be appointed by the Governor. The first such members shall be appointed by the Governor to take office on July 1, 2006, for initial terms as follows: one such member shall be appointed for one year; two such members shall be appointed for terms of two years; and two such members shall be appointed for terms of three years. Thereafter, the Governor shall appoint successors upon the expiration of the respective terms of office for terms of three years. All such members shall serve until their successors are appointed and qualified. Such members shall be eligible for reappointment to successive terms of office as members of the board.
- (c) The board shall elect a chairperson from among its own membership to serve for a term as established by rules of the board. Four members of the board shall constitute a quorum for the transaction of business. All members of the board shall serve without compensation but may be reimbursed for travel and other expenses incurred by them in carrying out their duties as members of the board.
- (d) In the event of a vacancy in the membership of the board, the remaining members of the board shall appoint a full-time chief magistrate who is a member of the fund to fill such vacancy for the unexpired term.
- (e) The Council of Magistrate Court Judges shall be authorized to submit the names of nominees for each position on the board appointed by the Governor pursuant to this Code section. The Governor may consider such nominees in making such appointments, but it is specifically provided that all such appointments shall be at the sole discretion of the Governor, and the Governor shall not be required to make any appointments from nominees made by the Council of Magistrate Court Judges.

47-25-21.

- (a)(1) There is created the office of secretary-treasurer of the board. The secretary-treasurer shall be elected and appointed by the board and shall serve at the pleasure of the board. His or her compensation and duties may be fixed by the board. In addition to such salary, the secretary-treasurer shall receive credit for a sum of \$1,250.00 per year as dues in the retirement system.
- (2) The board or the secretary-treasurer with the approval of the board may employ additional personnel to assist the board or secretary-treasurer in carrying out duties provided in this chapter. The compensation and duties of any such personnel shall be fixed by the board.
- (b) The secretary-treasurer shall be paid retirement benefits upon retiring as secretary-treasurer as provided in Article 5 of this chapter for a full-time chief magistrate retiring with the highest benefit allowed by such article and shall be entitled to any retirement option allowed by such article.
- (c) The board shall have authority to require the secretary-treasurer to give a good and sufficient surety bond in an amount to be determined by the board. The bond shall be

payable to the board and shall be conditioned upon the proper and faithful performance of the duties of the secretary-treasurer. The secretary-treasurer shall be required to make quarterly reports to the board, which reports shall show all receipts and disbursements in such form and in such manner as the board may require. He or she shall likewise be required quarterly to make a full account of all moneys or property coming into his or her hands on behalf of the board at any time.

47-25-22.

(a) The board is granted the following powers and duties:

- (1) To provide for the collection of all moneys provided in this chapter;
- (2) To pay the administrative expenses of the board;
- (3) To hear and decide all applications for retirement benefits under this chapter;
- (4) To make payment of all retirement benefits that may be determined to be due under the terms of this chapter;
- (5) To make all necessary rules and regulations, not inconsistent with the laws of the state, for its government and for the government of the employees of the board;
- (6) To determine and fix rules of eligibility of persons to receive retirement benefits;
- (7) To make refunds and repayments to persons who may be entitled to receive them; and
- (8) To keep all records of its meetings.

(b) The board shall also have all powers necessary for the purpose of administering this chapter.

(c)(1) Subject to the terms and limitations of this subsection, the board is authorized to adopt from time to time a method or methods of providing for increases in the maximum monthly retirement benefit payable under Article 5 of this chapter for persons theretofore or thereafter retiring under this chapter. Such method shall be based upon:

- (A) The recommendation of the actuary of the board of trustees;
- (B) The maintenance of the actuarial soundness of the fund in accordance with the standards provided in Code Section 47-20-10 or such higher standards as may be adopted by the board; and
- (C) Such other factors as the board deems relevant.

Any such increase may be uniform or may vary in accordance with the time of retirement, length of service, age, nature of the retirement, or such other factors as the board of trustees shall determine. No benefit increase shall be awarded under this paragraph greater than 1.5 percent in any six-month period.

(2) No member shall receive a benefit increase under paragraph (1) of this subsection in any year in which he or she realizes a benefit increase by operation of Code Section 47-25-81.

47-25-23.

(a) The board shall have control of all funds provided for in this chapter and all funds shall be received and disbursed from a special account to the credit of the board. The

expenses of administering this fund and the benefits provided for in this chapter shall be paid from such funds. The board shall have authority to expend the funds in accordance with this chapter.

(b) The board shall have full power to invest and reinvest such funds, subject to all the terms, conditions, limitations, and restrictions imposed by Article 7 of Chapter 20 of this title, the 'Public Retirement Systems Investment Authority Law.' Subject to such terms, conditions, limitations, and restrictions, the board shall have full power to hold, purchase, sell, assign, transfer, and dispose of any of the securities and investments in which any of the funds are invested, including the proceeds of any investments and any money belonging to the fund.

(c) The board is authorized to employ agents, including, but not limited to, banks or trust departments thereof, and to contract with such agents for their services as investment advisers and counselors, making recommendations for investments and making investments if the board so authorizes.

47-25-24.

The board may take, by gift, grant, or bequest, any money, real or personal property, or any other thing of value and may hold or invest it for the use and purposes of the fund in accordance with this chapter.

47-25-25.

The board shall keep permanent records of all persons who qualify to participate in the benefits of this chapter, an accurate record of all payments and disbursements, and a detailed record of all the acts and doings of the board.

47-25-26.

The state auditor is authorized and directed to make an annual audit of the acts and doings of the board and to make a complete report of the same to the General Assembly in such detail as he or she may see fit. The state auditor shall also have the right to audit the affairs of the board and any of its employees at any time that he or she may see fit or at any time that he or she may be requested to do so by the board or by the Governor.

### ARTICLE 3

47-25-40.

Before any person shall be eligible to participate in the fund, he or she must be serving as a duly qualified and commissioned full-time chief magistrate of a county of the State of Georgia or as the secretary-treasurer. Any qualified person who desires to participate in the fund shall make application to the board for membership in the fund on a form to be furnished by the board for that purpose, giving such information, together with verification and proof thereof, as may be required by the board. Such

application shall be made not later than July 1, 2007, or within six months after becoming eligible for membership, whichever is later.

47-25-41.

Each member shall pay into the fund as dues the sum of \$105.00 per month. Each month's dues shall be paid not later than the tenth day of that month.

#### ARTICLE 4

47-25-60.

(a) In addition to all other legal costs, the sum of \$3.00 shall be charged and collected in each civil matter or proceeding filed in the magistrate courts.

(b) The clerks of the magistrate courts shall collect the fees provided for in subsection (a) of this Code section and the fees so collected shall be remitted to the board on a quarterly basis or at such time as the board may provide. It shall be the duty of the clerks to keep accurate records of the amounts due the board under this Code section and such records may be audited by the board at any time. The sums remitted to the board under this Code section shall be used for the purposes provided in this chapter.

#### ARTICLE 5

47-25-80.

In order for a member to be eligible to receive retirement benefits under this chapter, he or she must have:

- (1) Served as a regularly qualified and commissioned full-time chief magistrate or as the secretary-treasurer for at least eight years;
- (2) Fully complied with this chapter;
- (3) Terminated his or her official capacity as a full-time chief magistrate or as the secretary-treasurer;
- (4) Attained the age of 60 years;
- (5) Filed with the board his or her application for such retirement, on a form to be furnished by the board, within a period of 90 days, or as soon thereafter as possible, after reaching the age of 60 years or after termination of his or her official capacity as a full-time chief magistrate or as the secretary-treasurer, whichever may occur last in point of time; and
- (6) Had his or her application for retirement approved by the board.

47-25-81.

Any member who is approved for retirement benefits as provided in Code Section 47-25-80 shall be paid a monthly sum equal to 4 percent of his or her average final monthly compensation for each year served by the member up to, but not exceeding, a total of 20 years; provided, however, that the final annual compensation used for calculating a benefit under this Code section shall not exceed \$33,772.20; provided,

further, that the board of trustees is authorized to adopt from time to time a method or methods of providing for increases in the maximum final monthly compensation used for calculating a benefit as provided in this Code section. Such method or methods shall be based upon:

- (1) The recommendation of the actuary of the board of trustees;
- (2) The maintenance of the actuarial soundness of the fund in accordance with the standards provided in Code Section 47-20-10 or such higher standards as may be adopted by the board; and
- (3) Such other factors as the board deems relevant; provided, however, that any such increase shall be uniform and shall apply equally to all members of this retirement system.

No time for which dues have not been paid in accordance with Code Section 47-25-41 shall be considered in determining the number of years of service.

47-25-82.

(a) As used in this Code section, the term 'surviving spouse' means the person who was married to a member on the date of the member's death.

(b) Upon the death of any member who is then receiving retirement benefits and upon the surviving spouse of such member attaining 60 years of age, said spouse shall be paid spouse's benefits which shall be equal to 50 percent of the retirement benefits then being paid to such member. Such benefits shall be paid for the remainder of the life of such surviving spouse.

(c) Upon the death of any member prior to retirement, the surviving spouse of such member may elect:

- (1) To withdraw the dues paid into the retirement fund by the deceased member plus interest at the rate specified by law, in which case the spouse shall be deemed to have waived any right to any benefits; or
- (2) To leave such dues in the retirement fund and to receive spouse's benefits which shall be payable beginning:

(A) On the date of the member's death, if such member is 60 years of age or older; or

(B) On the date on which the surviving spouse of the deceased member reaches 60 years of age,

whichever event occurs last, and which shall be equal to 50 percent of the retirement benefits which the deceased member was drawing at the time of death or, in the case of a member who dies prior to his or her sixtieth birthday, which such deceased member would have been entitled to receive upon reaching 60 years of age had he or she lived and ceased service as a full-time chief magistrate or the secretary-treasurer on the date of his or her death.

(d) A member who is unmarried at the time of such election may designate a survivor at the time of making such election. If a member is married at the time of such election, the member may elect a designated survivor other than his or her spouse under this subsection only with the written agreement of the spouse. In any event, the designated

survivor shall be a person with whom the member has a familial relationship through blood, marriage, or adoption. The designated survivor designated pursuant to this subsection shall be entitled to a survivor's benefit which is the actuarial equivalent to a surviving spouse's benefit as provided in subsection (b) of this Code section.

47-25-83.

(a) Any member, after ceasing to serve as a full-time chief magistrate or as the secretary-treasurer and after waiving any right to retirement benefits in writing on a form to be provided by the board, may apply for and be refunded all dues paid, together with 5 percent simple interest per annum from the end of the calendar year in which paid to the end of the calendar year next preceding the application for the refund.

(b) Although retirement pay shall be based on Code Section 47-25-81 and nothing in this Code section shall be construed to alter same, at the effective date of retirement, simple interest at a rate of 5 percent per annum shall be computed on all dues paid from the end of the calendar year in which paid to the end of the calendar year immediately preceding the date of retirement and shall be added to the total dues paid. After all retirement benefits coming due under Code Section 47-25-81 have been paid and if the total thereof shall not be equal to or exceed the above total of dues and interest, then the balance of such principal and interest shall be paid to the estate of the deceased member.

(c) Upon application by the estate of any member who dies prior to retirement and who does not have a surviving spouse who is eligible for benefits under Code Section 47-25-82, all dues paid by such deceased member, together with 5 percent simple interest per annum from the end of the calendar year in which paid to the end of the calendar year next preceding the application for the refund, shall be paid to the estate of the deceased member.

(d) No dues may be refunded except in strict compliance with this Code section.

47-25-84.

Notwithstanding any other provisions of this chapter to the contrary, a member may retire after completing four years of creditable service if he or she becomes totally and permanently disabled after commencing service as a full-time chief magistrate or as the secretary-treasurer. Any such member shall be entitled to receive retirement benefits in the amount that he or she would receive if his or her retirement were effective at the time he or she became disabled. All questions relating to the degree and nature of the total and permanent disability suffered by the member shall be determined by the board.

47-25-85.

Nothing contained in this chapter shall be construed so as to prevent any person who is a member of the fund from belonging to any other retirement, annuity, or benefit system.



47-25-86.

(a) If a retired member becomes employed as a full-time or part-time magistrate or chief magistrate, his or her retirement benefits shall be suspended during the period of time he or she holds such position, and upon cessation of such service, his or her prior retirement allowance shall be resumed.

(b) If a retired member becomes employed as a full-time chief magistrate, he or she may elect again to become a contributing member of the retirement system and be governed by the retirement provisions of this chapter.

## ARTICLE 6

47-25-100.

If the board determines that the funds derived from the sources provided for in this chapter are not actuarially sufficient at any time to enable the board to pay in full each person determined to be entitled to the benefits provided for, plus all contingent and other liabilities, then a prorated percentage of such payments shall be made to each person entitled thereto until the funds shall be replenished actuarially sufficient to enable the board to resume such payments in accordance with the terms of this chapter. In no event shall the board or any member thereof be liable to any person for any deficiency in payments made under this Code section.

47-25-101.

None of the funds provided for in this chapter shall be subject to attachment, garnishment, or judgment rendered against the person entitled to receive the same. Such funds shall not be assignable."

### SECTION 2.

This Act shall become effective on July 1, 2006, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2006, as required by subsection (a) of Code Section 47-20-50.

### SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Representative Cummings of the 16th assumed the Chair.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	N May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Sinkfield
Y Black	Y Ehrhart	James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	E Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Thomas, A.M
Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	N Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	N Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 157, nays 3.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Mr. Clerk,

I was off the floor when the House considered SB 244. Since the Bill adds a \$3 tax per filing in Magistrate Court, please record my vote as "NO".

Bobby Franklin  
District 43

Representatives Cox of the 102nd and James of the 135th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

Representative Byrd of the 20th stated that she inadvertently voted "aye" on the preceding roll call. She wished to be recorded as voting "nay" thereon.

The Speaker assumed the Chair.

SB 95. By Senators Harp of the 29th, Kemp of the 46th, Stephens of the 27th, Hudgens of the 47th and Seabaugh of the 28th:

A BILL to be entitled an Act to amend Title 43 of the O.C.G.A., relating to professions and businesses, so as to regulate the practice of soil science; to provide for a short title; to provide for legislative purpose; to define certain terms; to provide for inapplicability; to provide for the State Licensing Board for Professional Soil Scientists; to provide for board powers and duties; to provide for administration; to provide for certain records; to provide for filing and service of documents; to provide for applications; to provide for eligibility; to provide for licensing; to provide for refusal and discipline; to provide for seals; to provide for a code of professional conduct; to provide for charges of violations; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

#### A BILL

To amend Article 1 of Chapter 2 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Natural Resources, so as to provide that evaluations and reports of licensed soil scientists shall be accepted by the Department of Natural Resources for certain purposes; to define certain terms; to amend Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to functions of county boards of health, so as to provide that evaluations and reports of licensed soil scientists shall be accepted by county boards of health for certain purposes; to provide for certifications of certain reports by licensed soil scientists and other persons qualified to conduct soil evaluations for on-site sewage management systems; to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to regulate the practice of soil science; to provide for a short title; to provide for legislative purpose; to define certain terms; to provide for inapplicability; to provide for the State Licensing Board for Professional Soil Scientists; to provide for board powers and duties; to provide for certain records; to provide for filing and service of documents; to provide for applications; to provide for eligibility; to provide for licensing; to provide for refusal

and discipline; to provide for seals; to provide for a code of professional conduct; to provide for charges of violations; to require utilization of licensees by government entities; to provide for a legal adviser; to provide for exemptions; to make certain acts unlawful; to provide punishment for violations; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 1 of Chapter 2 of Title 12 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Natural Resources, is amended by adding a new Code section to read as follows:

"12-2-10.

Any person who is a licensed soil scientist under Chapter 43B of Title 43 may submit evaluations and reports to the department when such are required by the department for purposes of satisfying requirements of this title; specifically erosion, sedimentation and pollution control, underground injection control, and large community subsurface systems. Such reports by a licensed soil scientist shall be accepted by the department for such purposes."

**SECTION 2.**

Code Section 31-3-5 of the Official Code of Georgia Annotated, relating to functions of county boards of health, is amended by striking subsection (d) and inserting in lieu thereof the following:

"(d)(1) Any person may register with the department to conduct soil investigations and prepare soil reports of a site within the state for an on-site sewage management system ~~who~~ if such person meets any one of the following criteria:

(A) ~~Qualifies as a soil classifier as defined in subparagraph (B) of paragraph (3) of this subsection;~~

~~(B)~~ Holds a valid certificate of registration as a professional engineer issued pursuant to Chapter 15 of Title 43 and is practicing within his or her area of engineering competency;

~~(C)~~(B) Holds a valid certificate of registration as a registered geologist issued pursuant to Chapter 19 of Title 43 and is practicing within his or her area of geologic competency; or

~~(D)~~(C) Is a soil and water conservation technician ~~as defined in subparagraph (A) of paragraph (3) of this subsection~~ employed as such by a soil and water conservation district provided for in Article 2 of Chapter 6 of Title 2.

(2)(A) Upon the submission of an evaluation of the suitability of a site within the state for an on-site sewage management system by ~~such~~ a person who is a licensed soil scientist under Chapter 43B of Title 43 or who is registered with the department under this subsection, the county board of health shall be required to accept the evaluation unless such evaluation is found by the county board of health to be

deficient or questionable. If the county board of health finds such evaluation to be deficient or questionable, the board shall, within three working days of making such finding, issue a written determination stating all deficiencies and all measures needed to correct the deficiencies. A copy of this determination shall be provided to the state director of environmental health.

(B) An evaluation shall not be deemed deficient or questionable and shall be accepted by the county board of health if the following certification is printed on the report at least one inch apart from any other text and in type size and boldness equal to or greater than any other type size and boldness in the body of the report and signed by a licensed soil scientist or a person registered with the department under this subsection; provided, however, that such certification shall not be required except for purposes of the guaranteed acceptance provided by this subparagraph:

By affixing my seal and signature, I, (name), certify that I have mapped the soils of the area covered by this report in accordance with National Cooperative Soil Survey Standards of the United States Department of Agriculture Natural Resources Conservation Service. This evaluation has met or exceeded the minimum field standards of the Georgia Department of Human Resources, Division of Public Health, Environmental Health Section. The soils map and its interpretation are my opinions based upon the results of my evaluation. The Environmental Health Section or county health department will make final determinations regarding use of these soils for on-site sewage management systems. I have delivered a copy of this report to the owner of the subject real property and, by this certification, I guarantee to such owner and his or her successors in interest for a period of three years from the date of this certification that an on-site sewage management system installed in accordance with the recommendations of this report will not malfunction due to soil conditions during such period; provided, however, that if the soils are altered after this report date or the soils are not used as recommended, I will not be responsible for malfunctions arising from such soils issues.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address'

~~(3) As used in this subsection, the term:~~

~~(A) 'Soil and water conservation technician' means a person employed as a soil and water conservation technician by a soil and water conservation district provided for in Article 2 of Chapter 6 of Title 2.~~

~~(B) 'Soil classifier' means a person who:~~

~~(i) Holds at least a bachelor of science degree from an accredited college or university with a major in soil science or a related field of science. This degree shall include 30 semester credit hours or equivalent quarter credit hours in the~~

~~biological, physical, chemical, and earth sciences with a minimum of 15 semester credit hours or equivalent quarter hours in soil science courses meeting the following distribution:~~

- ~~(I) A minimum of one course in soil classification, morphology, genesis, and mapping; and~~
- ~~(II) The remaining soil science credits must be in at least three of the following eight categories: introductory soil science; soil fertility; soil microbiology; soil chemistry; soil physics; soil management, soils and land use, or soils and the environment; soil mineralogy; or a three credit maximum in independent study, geology, or hydrology; and~~
- ~~(ii) Has at least four years of verifiable full-time or equivalent part-time experience under the supervision of a soil classifier who has met the education and experience requirements provided in this subparagraph. Such experience must be obtained after meeting all educational requirements defined in this subparagraph and must have been spent actively mapping, identifying, and classifying soil features and interpreting the influence of soil features on soil uses including, but not limited to, conducting soil investigations for determining the suitability of sites for on-site sewage management systems as approved by the department's soil classifiers advisory committee; and~~
- ~~(iii) Has successfully passed a written examination pertaining to site investigations for on-site sewage management systems administered or approved by the department."~~

### SECTION 3.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended by inserting a new chapter to read as follows:

#### "CHAPTER 43B

##### 43-43B-1.

This chapter shall be known and may be cited as the 'Soil Scientists Licensing Act of 2006.'

##### 43-43B-2.

The purpose of this chapter is to protect life, property, health, and public welfare through regulation of the practice of soil science in the state; to define the practice of soil science as a profession by establishing minimum standards of ethical conduct and professional responsibility and by establishing professional education and experience requirements; and to prevent abuses in the practice of soil science by untrained or unprincipled individuals. This action recommends itself through benefits to the people of this state and promotion of the public welfare. These benefits are in the field of soil science as related to on-site disposal of domestic waste water (septic systems), land treatment of various waste waters, byproducts, and residual solids on land,

bioremediation, erosion and sedimentation, soil productivity, protection of surface and ground water, identification of wetlands and unique natural resources, and other soil matters of concern to the people of the state.

43-43B-3.

As used in this chapter, the term:

- (1) 'Board' means the State Licensing Board for Professional Soil Scientists.
- (2) 'License' means a certificate issued by the board to an individual who satisfies the requirements established for a licensed soil scientist under this chapter and the rules and regulations adopted pursuant to this chapter.
- (3) 'Licensed soil scientist' means a person who is licensed as a soil scientist under this chapter.
- (4) 'Public practice of soil science' means any service or work, the adequate performance of which requires education in the physical, chemical, and biological sciences, as well as soil science; training and experience in the application of special knowledge of these sciences to the use and management of soils by accepted principles and methods; investigation, evaluation, and consultation in the use and management of soils; and in which the performance is related to the public welfare by safeguarding life, health, property, and the environment. The term includes, but is not limited to, investigating and evaluating the interaction between water, soil, nutrients, plants, and other living organisms that are used to prepare soil scientists' reports for subsurface ground absorption systems, including infiltration galleries; land application of residuals such as sludge, septage, and other wastes; spray irrigation of waste water; soil remediation at conventional rates; land application of agricultural products and processing residues; bioremediation and volatilization; soil erodibility and sedimentation; and identification of hydric soil and redoximorphic features.
- (5) 'Responsible charge of work' means the independent control and direction, by the use of initiative, skill, and independent judgment, of soil science work or the supervision of such work.
- (6) 'Soil' means the unconsolidated mineral or organic matter on the surface of the earth that has been subjected to and influenced by genetic and environmental factors of parent material, climate (including water and temperature effects), microorganisms, and topography, all acting over time and producing a product that differs from the material from which it is derived in many physical, chemical, biological, and morphological properties and characteristics.
- (7) 'Soil science' means the science dealing with soils as an environmental resource. Soil science includes soil characterization, classification, and mapping; the physical, chemical, hydrologic, mineralogical, biological, and microbiological analysis of soil; and the assessment, analysis, modeling, testing, evaluation, and use of soil for the benefit of mankind. Soil science does not include design or creative works, the adequate performance of which requires extensive geological, engineering, land surveying, forestry, or landscape architecture education, training, and experience or requires registration as a geologist under Chapter 19 of this title, professional engineer

or land surveyor under Chapter 15 of this title, or forester under Part 2 of Article 1 of Chapter 6 of Title 12 or licensing as a landscape architect under Chapter 23 of this title.

(8) 'Soil scientist-in-training' means a person who has passed the examination and satisfied all other requirements for licensure under this chapter except for the professional work experience requirement.

(9) 'Subordinate' means any person who assists a licensed soil scientist in the practice of soil science without assuming the responsible charge of work.

#### 43-43B-4.

This chapter does not apply to the following individuals:

(1) An officer or employee of:

- (A) The federal government;
- (B) The state government; or
- (C) Any local government

while such officer or employee is providing soil science services for the officer's or employee's employer;

(2) An individual engaged solely in soil science research or the instruction of soil science;

(3) An individual not engaged in the public practice of soil science;

(4) A professional engineer registered under Chapter 15 of this title who applies soil science to the practice of engineering;

(5) A professional geologist registered under Chapter 19 of this title who applies soil science to the practice of geology;

(6) A professional forester registered under Part 2 of Article 1 of Chapter 6 of Title 12 who applies soil science to the practice of forestry;

(7) A person who is a certified professional in erosion and sediment control (CPESC) or soil conservationist who uses soil science in making land use decisions for the conservation of soil and water resources;

(8) A professional wetlands specialist who applies soil science to make wetland delineations or determinations;

(9) A person who conducts soil sampling solely for the purpose of determining plant nutrient and lime application rates for gardening and agricultural purposes; or

(10) A soil and water conservation technician registered with the Department of Human Resources under subsection (d) of Code Section 31-3-5 when applying soil science for purposes of said subsection.

#### 43-43B-5.

(a) The State Licensing Board for Professional Soil Scientists is created, whose duty it shall be to administer this chapter. The board shall be composed of:

(1) Five members who shall be eligible for licensure under this chapter and who on and after July 1 of the year following the effective date of this chapter shall be soil scientists licensed under this chapter, one of whom shall be an academic soil scientist,



one a governmental soil scientist, one a salaried company soil scientist, one an independent or consultant soil scientist, and one a soil scientist at large;

(2) A sixth member who shall be appointed from the public at large and who shall have no connection whatsoever with the practice of professional soil science; and

(3) The commissioner of human resources, ex officio, or his or her designated agent.

(b) The members of the board provided for in paragraphs (1) and (2) of subsection (a) of this Code section shall be appointed by the Governor, subject to approval as to qualifications by the Secretary of State and confirmation by the Senate, for terms of five years and until their successors are appointed and qualified. On the expiration of the term of any member, the member's successor shall be appointed in the same manner as regular appointments.

(c) Each member of the board shall be a citizen of the United States and a resident of the State of Georgia.

(d) No person shall serve as a member of the board for more than two consecutive terms.

(e) The Governor may remove any member of the board pursuant to the authority of Code Section 43-1-17. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the Governor as provided for in this chapter.

(f) The members of the board shall, before entering upon the discharge of their duty, subscribe to and file with the office of the Governor the required oath of office, whereupon the Governor shall issue to each appointee a certificate of appointment.

(g) Each member of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.

#### 43-43B-6.

(a) In addition to other powers and duties specified in this chapter, the board shall:

(1) Promulgate, adopt, amend, and repeal all rules and regulations necessary for its government and for carrying this chapter into effect for the regulation of proceedings before the board. The board and all of its rules, regulations, and procedures are subject to and shall comply with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act';

(2) Adopt and have an official seal;

(3) Elect from its membership a chairperson, a vice chairperson, and any other officers deemed necessary who shall hold office for a term of one year;

(4) Issue, renew, refuse to renew, deny, suspend, revoke, and reinstate licenses or otherwise discipline licensees under this chapter;

(5) Initiate investigations for the purpose of discovering violations of this chapter;

(6) Hold hearings on all matters properly brought before the board and, in conjunction therewith, to administer oaths, receive evidence, make necessary findings, and enter orders consistent with the findings. The board may designate one or more of its members as its hearing officer;

(7) Adopt a code of professional conduct;

(8) Establish and receive fees as required by this chapter;

- (9) Examine and determine the qualifications and fitness of applicants for licenses to practice soil science in this state;
  - (10) Bring proceedings in the courts for the enforcement of this chapter or any rules or regulations promulgated pursuant to this chapter;
  - (11) Establish reasonable standards for continuing professional education for soil scientists; provided, however, that no examination shall be required for a renewal of a license; and
  - (12) Have such other powers and duties as are necessary to effectuate the purposes of this chapter.
- (b) The board shall be assigned to the office of the Secretary of State for administrative purposes, shall operate under the jurisdiction of the division director, and shall operate in accordance with and pursuant to the provisions of Chapter 1 of this title, as applicable.

#### 43-43B-7.

All appeals from a decision of the board, all documents or applications required by law to be filed with the board, and any notice or legal process to be served upon the board shall be filed with or served upon the division director at his or her office.

#### 43-43B-8.

An application for licensing as a soil scientist shall be made under oath and shall show the applicant's education and a detailed summary of the applicant's professional work experience as a soil scientist. The application shall be accompanied by an application fee fixed by the board.

#### 43-43B-9.

(a) To be eligible for a license as a soil scientist in this state, an applicant shall meet each of the following minimum qualifications:

- (1) Be of good ethical character;
- (2) Hold at least a bachelor's degree in science from an accredited college or university with a major in soil science or a related field of science. Such degree shall include a minimum of 30 semester hours or equivalent quarter credit hours in agricultural, biological, chemical, physical, or earth sciences, with a minimum of 15 semester credit hours or equivalent quarter credit hours in soil science courses;
- (3) Have at least four years of professional work experience as a soil scientist under the supervision of a licensed soil scientist or a soil scientist who is eligible for licensure under this chapter. An applicant may substitute an advanced degree in soil science for a portion of the professional work experience requirement. The board, in its discretion, may allow an applicant to substitute a master's degree in soil science for one year of professional work experience and to substitute a doctoral degree in soil science for two years of professional work experience. The board, in its discretion, may allow an applicant to substitute experience gained through teaching upper-level soil science courses at the college or university level or research in soil science for all

or any portion of the professional work experience requirement if the board finds the teaching or research to be equivalent to the responsible charge of work by a soil scientist; and

(4) Successfully pass such examinations as are established by the board and which are designed to demonstrate that the applicant has the necessary knowledge and skill to exercise the responsibilities of the public practice of soil science.

(b) The board shall designate an applicant who meets all the requirements for a license under this chapter except the professional work experience requirement as a soil scientist-in-training. A soil scientist-in-training may apply for a license upon completion of the professional work experience requirement.

(c)(1) The board shall waive examination requirements for licensing for an individual who, on the effective date of this chapter, is certified as a soil scientist or soil classifier by:

(A) The American Registry of Certified Professionals in Agronomy, Crops, and Soils (ARCP ACS); or

(B) The Department of Human Resources.

(2) Examinations shall be held at least annually.

(3) The board shall determine the fee for and the scope, form, and content of the examinations provided for under this chapter.

(d) A person holding a license to engage in the practice of soil science on the basis of comparable licensing requirements issued to him or her by a proper authority of another state, territory, or possession of the United States or the District of Columbia and who, in the opinion of the board, otherwise meets the requirements of this chapter based on verified evidence may be licensed upon application without further examination.

#### 43-43B-10.

(a) The board shall issue a license, upon payment of the license fee set by the board, to any applicant who, in the opinion of the board, has satisfactorily met the requirements of this chapter.

(b) All licenses shall be renewable biennially at such time as may be designated by the board. All applications for renewal shall be filed with the board prior to the expiration date, accompanied by the renewal fee prescribed by the board. A license which has expired for failure to renew may only be reinstated after application and payment of the prescribed reinstatement fee within six months of the expiration date, provided that the applicant meets such requirements as the board may establish by rule.

(c) A new license to replace any license that is lost, destroyed, or mutilated may be issued subject to the rules of the board and payment of a fee set by the board.

#### 43-43B-11.

(a) The board shall have the authority to refuse to grant a license to an applicant therefor or to revoke or suspend the license of a person licensed by the board or to otherwise discipline a person licensed by the board the same as provided in Code Section 43-1-19 for professional licensing boards.

(b) The action by the board in granting or refusing to grant or renew a license under this chapter or in revoking or suspending or in refusing to revoke or suspend such a license may be appealed in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' to the superior court of the county of domicile of the board; provided, however, that if the findings of the board are supported by any evidence, such findings shall be accepted by the court.

43-43B-12.

Each licensee under this chapter may use a seal of such design as is authorized by the board, bearing the licensee's name and the legend 'Licensed Professional Soil Scientist.' All drawings, reports, or other papers or documents involving the practice of soil science, as defined in this chapter, which shall have been prepared or approved by a licensed soil scientist or a subordinate employee under his or her direction for the use of or for delivery to any person or for public record within this state shall be signed by him or her and impressed with the seal provided for in this Code section or the seal of a nonresident practicing under this chapter, either of which shall indicate his or her responsibility for them.

43-43B-13.

The board shall keep a record and shall publish annually a roster showing the names, places of business, and residence addresses of all soil scientists licensed under this chapter. Copies of such roster shall be made available to the public upon request and payment of a reasonable fee, established by the board, for copying.

43-43B-14.

The board shall prepare and adopt by rule a code of professional conduct that shall be made known in writing to every licensee and applicant for licensing under this chapter and shall be published by the board. Publication of the code of professional conduct shall be due notice to all licensees of its contents. The board may revise and amend such code of professional conduct. Prior to adoption of any revision or amendments, all licensed members and the public shall receive due notice and an opportunity to be heard.

43-43B-15.

Any person may file written charges of violations of this chapter or any rules adopted pursuant to this chapter with the board against any licensee. Any charges or allegations shall be in writing, shall be sworn to by the person making them, and shall be filed with the board. The board shall investigate reasonably all valid complaints.

43-43B-16.

On and after January 1 of the year following the effective date of this chapter, this state and its political subdivisions, such as a county, a municipality, or a legally constituted board, district, commission, or authority, shall contract for soil science services only

with persons licensed under this chapter, a firm employing a licensed soil scientist, persons registered as professional engineers practicing in their area of engineering competency, or persons registered as professional geologists practicing in their area of geologic competency.

43-43B-17.

(a) This chapter shall not prohibit one or more soil scientists from practicing through the medium of a sole proprietorship, partnership, limited liability company, or corporation. In a partnership, limited liability company, or corporation whose primary activity consists of soil science services, at least one partner, member, or officer shall be a licensed soil scientist.

(b) This chapter shall not prevent or prohibit an individual, firm, company, association, or corporation whose principal business is other than the public practice of soil science from employing a unlicensed soil scientist to perform nonpublic soil science services necessary to the conduct of its business.

(c) This chapter shall not be construed to prevent or to affect:

(1) The practice of any profession or trade for which a license is required under any other provision of this Code;

(2) The practice of registered professional engineers from lawfully practicing soils mechanics, foundation engineering, and other professional engineering as provided in this title; or

(3) The practice of a person who is not a resident of and has no established place of business in this state or who has recently become a resident hereof practicing or offering to practice the profession of soil science herein for more than 30 days in any calendar year if the person shall have filed with the board an application for a license and shall have paid the fee required by this chapter. Such practice shall continue only for such time as the board requires for the consideration of the applicant for licensing.

43-43B-18.

(a) Except for persons registered as professional engineers or professional geologists who are practicing soil science within their areas of engineering or geologic competency, it:

(1) Shall be unlawful for any person other than a licensed soil scientist or a subordinate under the soil scientist's direction and not otherwise exempt under this chapter to conduct or participate in any practice of soil science or prepare any soil science reports, maps, or documents related to the public welfare or the safeguarding of life, health, property, or the environment;

(2) Shall be unlawful for any person, including a soil scientist-in-training or a subordinate, to practice, or offer to practice, soil science in this state or to use in connection with his or her name, otherwise assume, or advertise any title or description tending to convey the impression that he or she is a licensed soil scientist unless that person has been duly licensed or is exempted under the provisions of this chapter; and

- (3) Shall be unlawful for anyone other than a licensed soil scientist to stamp or seal any soils related plans, maps, reports, or other soils related documents with the seal or stamp of a licensed soil scientist or use in any manner the title 'soil scientist' unless that person is licensed under this chapter.
- (b) It shall be unlawful for any person to affix his or her signature to, stamp, or seal any soils related plans, maps, reports, or other soils related documents after the license of the person has expired or been suspended or revoked.
- (c) It shall be unlawful for a licensed soil scientist to prepare plats and maps so as to engage in the practice of land surveying as defined in Code Section 43-15-2 unless the licensed soil scientist is also a registered land surveyor under Chapter 15 of this title.
- (d) It shall be unlawful for a licensed soil scientist to engage in the design of engineering works and systems unless the licensed soil scientist is also a registered professional engineer under Chapter 15 of this title.
- (e) It shall be unlawful for a licensed soil scientist to engage in the practice of geology unless the licensed soil scientist is also a registered geologist under Chapter 19 of this title.
- (f) Paragraphs (1) and (2) of subsection (a) of this Code section shall apply only to acts committed on or after January 1 of the year following the effective date of this chapter.

43-43B-19.

(a) A person who:

- (1) Willfully practices soil science or offers to practice soil science for any other person in this state without being licensed and who is not otherwise exempt in accordance with the provisions of this chapter;
- (2) Presents or attempts to use as his or her own the license or the seal of any other soil scientist;
- (3) Gives any false or forged evidence in the course of applying for a license under this chapter;
- (4) Impersonates a licensed soil scientist;
- (5) Practices or attempts to practice at any time while his or her license is suspended or revoked; or
- (6) Commits any other act made unlawful by this chapter

shall be guilty of a misdemeanor.

(b) Paragraph (1) of subsection (a) of this Code section shall apply only to acts committed on or after January 1 of the year following the effective date of this chapter."

#### **SECTION 4.**

This Act shall become effective only upon the effective date of a specific appropriation of funds for the purposes of this Act as expressed in a line item making specific reference to the full funding of this Act in an appropriations Act enacted by the General Assembly.

#### **SECTION 5.**

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	N May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	N Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	N Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
N Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	N Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	N Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	N Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	N Thomas, B
N Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	N Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	N Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	N Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	N Hatfield	N Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	N Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	N Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 152, nays 16.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

SB 208. By Senators Meyer von Bremen of the 12th, Stephens of the 27th, Thomas of the 54th, Hooks of the 14th and Carter of the 13th:

A BILL to be entitled an Act to amend Chapter 18 of Title 31 of the Official Code of Georgia Annotated, relating to treatment and rehabilitation of spinal cord disabled and head-injured persons, so as to create a state-wide central registry for traumatic brain and spinal cord injuries; to change certain definitions; to require that certain information relating to brain or spinal cord injured persons be reported to the Brain and Spinal Injury Trust Fund Commission; to provide for certain duties of the commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	N Davis	Y Holt	May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	E Scott, M
Y Barnard	Dean	Y Houston	McClinton	Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	N Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
N Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	E Wilkinson
Y Cheokas	N Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker



On the passage of the Bill, the ayes were 156, nays 4.

The Bill, having received the requisite constitutional majority, was passed.

Representative Cox of the 102nd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The Speaker Pro Tem assumed the Chair.

SB 506. By Senators Balfour of the 9th, Shafer of the 48th and Unterman of the 45th:

A BILL to be entitled an Act to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and HOPE grants, so as to provide for a set amount for mandatory fees for HOPE scholarships and HOPE grants for eligible public postsecondary institutions created after January 1, 2004; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Jamieson	Y Mosby	Y Smith, L
Y Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker

Y Casas	Greene	Y Lewis	Y Randall	Y Warren
Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	E Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 163, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

SB 445. By Senators Mullis of the 53rd, Tolleson of the 20th, Rogers of the 21st, Bulloch of the 11th, Schaefer of the 50th and others:

A BILL to be entitled an Act to amend an Act creating the Civil War Commission, approved April 28, 1993 (Ga. L. 1993, p. 1952), so as to make certain editorial changes; to change the administrative assignment of the commission and the facilitating state department from the Department of Natural Resources to the Department of Economic Development; to codify certain provisions of said Act, as amended, in Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of Economic Development; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Hudson	E Millar	Y Sheldon
Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V

Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Forster	Y Keen	Y O'Neal	Y Stephens
Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Randall	Y Warren
Y Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Wix
Y Cooper	Y Henson	Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 153, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Forster of the 3rd stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

Representative Yates of the 73rd District, Chairman of the Committee on Defense and Veterans Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Defense and Veterans Affairs has had under consideration the following Resolution of the House and has instructed me to report the same back to the House with the following recommendation:

HR 1861 Do Pass

Respectfully submitted,  
/s/ Yates of the 73rd  
Chairman

Representative Stephens of the 164th District, Chairman of the Committee on Economic Development and Tourism, submitted the following report:

Mr. Speaker:

Your Committee on Economic Development and Tourism has had under consideration the following Resolution of the Senate and has instructed me to report the same back to the House with the following recommendation:

SR 844      Do Pass

Respectfully submitted,  
/s/ Stephens of the 164th  
Chairman

Representative Ralston of the 7th District, Chairman of the Committee on Judiciary Non-Civil, submitted the following report:

Mr. Speaker:

Your Committee on Judiciary Non-Civil has had under consideration the following Bills and Resolutions of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 64	Do Pass, by Substitute	SR 793	Do Pass
SB 396	Do Pass	SR 954	Do Pass
SB 503	Do Pass, by Substitute	SR 955	Do Pass
SB 606	Do Pass, by Substitute		

Respectfully submitted,  
/s/ Ralston of the 7th  
Chairman

Representative Hill of the 21st District, Chairman of the Committee on Special Rules, submitted the following report:

Mr. Speaker:

Your Committee on Special Rules has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 484      Do Pass

Respectfully submitted,  
/s/ Hill of the 21st  
Chairman

The Speaker assumed the Chair.

Under the general order of business, established by the Committee on Rules, the following Bills of the Senate were taken up for consideration and read the third time:

SB 581. By Senators Mullis of the 53rd, Tolleson of the 20th, Carter of the 13th, Thomas of the 54th, Hamrick of the 30th and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Public Safety Training Center, so as to authorize the training center to provide training for emergency medical personnel; to change certain provisions relating to the Georgia Public Safety Training Center; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following amendment was read and adopted:

Representatives Coleman of the 144th and Neal of the 1st move to *amend SB 581 by inserting following "Center;" on line 4 of page 1 the following:*

to provide for effect of chapter on the Department of Technical and Adult Education;

*By inserting between lines 25 and 26 on page 3 the following:*

### SECTION 3.

Said chapter is further amended by striking Code Section 35-5-6, relating to the effect of the chapter on powers of the Board of Corrections and State Board of Pardons and Paroles, and inserting a new Code Section 35-5-6 to read as follows:

"35-5-6.

Nothing in this chapter shall be considered as altering current state laws establishing the powers and authority of the Board of Corrections or the State Board of Pardons and Paroles. Furthermore, nothing in this chapter shall prevent the Department of Technical and Adult Education from providing any course of instruction including, but not limited to, instructional courses, certified training, advanced instruction, or classes for or pertaining to public safety first responders and emergency medical personnel."

*By redesignating Sections 3 and 4 as Sections 4 and 5, respectively.*

The report of the Committee, which was favorable to the passage of the Bill, was agreed to, as amended.

On the passage of the Bill, as amended, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, as amended, the ayes were 162, nays 0.

The Bill, having received the requisite constitutional majority, was passed, as amended.

Representatives Carter of the 159th, Forster of the 3rd, and Maxwell of the 17th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

SB 238. By Senators Hill of the 32nd and Smith of the 52nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions relative to torts, so

as to provide for immunity from civil liability for nonprofit organizations and individuals that financially sponsor charitable fundraising events; to provide for an exception; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

### A BILL

To amend Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions relative to torts, so as to provide for immunity from civil liability for individuals and entities that financially sponsor certain charitable fundraising events; to provide for an exception; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

Chapter 1 of Title 51 of the Official Code of Georgia Annotated, relating to general provisions relative to torts, is amended by inserting at the end thereof a new Code Section 51-1-51 to read as follows:

"51-1-51.

If any individual, cooperative, corporation, club, association, or organization, or director, trustee, or member of the governing body of any such cooperative, corporation, club, association, or organization, supplies only financial sponsorship or financial support for a charitable fundraising event of another entity and the provider of such financial sponsorship or financial support is not, in any way, involved in the management, organization, planning, or execution of such event, then such individual, cooperative, corporation, club, association, organization, director, trustee, or member shall not be liable for any personal injury or damage to property arising from such charitable fundraising event. However, if such financial sponsorship or financial support constitutes willful, wanton, or gross negligence, then such immunity from suit shall not attach. As used in this Code section, the term 'financial sponsorship' or 'financial support' means only the provision of monetary support and shall not include donations of event locations, products, foods, beverages, labor, or any other nonmonetary contributions."

#### SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 162, nays 0.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Representatives Cooper of the 41st and Maxwell of the 17th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

SB 398. By Senator Harp of the 29th:

A BILL to be entitled an Act to amend Code Section 17-7-131 of the Official Code of Georgia Annotated, relating to proceedings upon a plea of insanity



or mental incompetency at the time of a crime, so as to change certain provisions relating to the court's instructions; to revise procedures related to psychiatric evaluations of defendants; to provide for a timeframe for forwarding the examination report to the Department of Corrections; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	N Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	N Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 162, nays 2.

The Bill, having received the requisite constitutional majority, was passed.

Representative Maxwell of the 17th stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following Bills of the House were taken up for the purpose of considering the Senate substitutes thereto:

HB 1066. By Representatives Manning of the 32nd, Ehrhart of the 36th, O'Neal of the 146th, Cooper of the 41st, Brown of the 69th and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, so as to change certain provisions relating to a system for screening newborns for certain metabolic and genetic disorders; to provide for the establishment of fees; to provide for religious objection to screening; to change certain provisions relating to screening for phenylketonuria, sickle cell anemia, and sickle cell trait; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

#### A BILL

To amend Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, so as to change certain provisions relating to a system for screening newborns for certain metabolic and genetic disorders; to provide for the establishment of fees; to provide for religious objection to screening; to change certain provisions relating to screening for phenylketonuria, sickle cell anemia, and sickle cell trait; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

Chapter 12 of Title 31 of the Official Code of Georgia Annotated, relating to control of hazardous conditions, preventable diseases, and metabolic disorders, is amended by striking Code Section 31-12-6, relating to a system for prevention of mental retardation resulting inherited metabolic disorders, and inserting in lieu thereof the following:

"31-12-6.

(a) The department shall promulgate rules and regulations creating a system for the prevention of ~~mental retardation~~ serious illness, severe physical or developmental

disability, and death caused by genetic conditions, such as phenylketonuria, galactosemia, tyrosinemia, homocystinuria, maple syrup urine disease, hypothyroidism, congenital adrenal hyperplasia, and such other inherited metabolic and genetic disorders as may be determined identified in the future to result in serious illness, severe physical or developmental disability, and death ~~cause mental retardation~~ if undiagnosed and untreated. The system shall have five components: screening newborns for the disorders; retrieving potentially affected screenees back into the health care system; accomplishing specific diagnoses; initiating and continuing therapy; and assessing the program.

(b) The entire process for screening, retrieval, and diagnosis must occur within ~~the first three weeks of an infant's life~~ time frames established by the department pursuant to rules and regulations, and the system shall be structured to meet this critical need.

(c) The department shall be responsible for the screening of all newborns for the ~~disorder~~ disorders enumerated and in a manner determined by the department pursuant to rules and regulations and shall be responsible for assessment of the program.

(d) The department shall, to the extent state or federal funds are available for such purposes, including but not limited to funds provided under Title V of the Social Security Act, the Maternal and Child Health Services Block Grant, provide for retrieving potentially affected screenees back into the health care system; accomplishing specific diagnoses; initiating and continuing therapy; and assessing the program.

(e) ~~Because the rudiments of such a system already exist, the~~ The department shall utilize appropriate existing resources whenever possible and shall cause the coordination and cooperation of agencies and organizations having resources necessary for the creation of an effective system.

(f) The department shall be authorized to establish and periodically adjust, by rule and regulation, fees associated with the screening, retrieval, and diagnosis conducted pursuant to this Code section to help defray or meet the costs incurred by the department. In no event shall the fees exceed such costs, both direct and indirect, in providing such screenings and related services, provided that no services shall be denied on the basis of inability to pay. All fees paid thereunder shall be paid into the general fund of the State of Georgia.

(g) The department shall allow any laboratory licensed in Georgia and authorized to perform screening testing of newborn infants in any state using normal pediatric reference ranges to conduct the analysis required pursuant to this Code section. The testing performed by such laboratory must include testing for newborn diseases as required by law or regulation and shall provide test results and reports consistent with law and with policies, procedures, and regulations of the department.

(h) No later than January 1, 2007, the Georgia Department of Audits and Accounts shall conduct an assessment evaluating the efficiency and effectiveness of the newborn screenings conducted by the Georgia Public Health Laboratory pursuant to this Code section. If it is determined that private laboratories can provide testing at a lower cost than the Georgia Public Health Laboratory, the department shall issue a request for

proposals to qualified vendors including any private laboratory licensed in Georgia as established in subsection (g) of this Code section. The Georgia Public Health Laboratory shall be eligible to respond to such request for proposals.

(i) The requirements of this Code section with regard to screening, retrieval, and diagnosis shall not apply to any infant whose parents object in writing thereto on the grounds that such tests and treatment conflict with their religious tenets and practices."

## SECTION 2.

Said chapter is further amended by striking Code Section 31-12-7, relating to rules and regulations regarding tests for phenylketonuria, sickle cell anemia, and sickle cell trait, and inserting in lieu thereof the following:

"31-12-7.

(a) In coordination and association with the system established by the department for the screening, retrieval, and diagnosis of certain metabolic and genetic disorders pursuant to Code Section 31-12-6, the ~~The~~ department, or its successor agency or department, shall adopt and promulgate appropriate rules and regulations governing tests for ~~phenylketonuria, sickle cell anemia, and sickle cell trait, and other metabolic and genetic disorders as enumerated by the department pursuant to rules and regulations~~ so that as nearly as possible all newborn infants who are susceptible or likely to have ~~phenylketonuria, sickle cell anemia, or sickle cell trait, or other metabolic and genetic disorders~~ shall receive a test for ~~phenylketonuria, sickle cell anemia, or sickle cell trait, or other metabolic and genetic disorders~~ or all of such conditions as soon after birth as successful testing and treatment therefor may be initiated; provided, however, that this Code section shall not apply to any infant whose parents object thereto on the grounds that such tests and treatment conflict with their religious tenets and practices.

(b) If any such child is found to have ~~phenylketonuria, sickle cell anemia, or sickle cell trait~~, it shall be the duty of the examining physician or the department to inform the parents of such child that the child is so afflicted and, if such child has sickle cell anemia or sickle cell trait, that counseling regarding the nature of the disease, its effects, and its treatment is available without cost from the department and the county board of health or county department of health.

(c) It shall be the duty of the department and each county board of health and county department of health, or their successor agencies or departments, to furnish counseling and advice to any persons requesting such counseling regarding sickle cell anemia or sickle cell trait, its characteristics, symptoms, traits, effects, and treatment. Such counseling shall be furnished without cost to the person requesting it.

(d) The department shall be authorized to establish and periodically adjust, by rule and regulation, fees associated with the screening, retrieval, and diagnosis conducted pursuant to this Code section to help defray or meet the costs incurred by the department; provided, however, that in no event shall the total fees associated with such screening, retrieval, and diagnosis exceed \$40.00 for the calendar year beginning January 1, 2007. In no event shall the fees exceed such costs, both direct and indirect,

in providing such screenings and related services, provided that no services shall be denied on the basis of inability to pay. All fees paid thereunder shall be paid into the general fund of the State of Georgia."

### SECTION 3.

This Act shall become effective on January 1, 2007.

### SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Representative Manning of the 32nd moved that the House agree to the Senate substitute to HB 1066.

On the motion, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	N Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	E Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Y Morris	Y Smith, B
Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Y Stephens
Y Buckner, G	N Franklin	Y Keown	Y Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
N Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	N Walker
Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	N Hatfield	N Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Mangham	Y Rogers	Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 148, nays 6.

The motion prevailed.

Representatives Mangham of the 94th and Maxwell of the 17th stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

HB 425. By Representatives Harbin of the 118th, Knox of the 24th and Watson of the 91st:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to permit insurers to provide food or refreshments under certain circumstances to current or prospective clients during sales presentations and seminars provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

#### A BILL

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to permit insurers to provide food or refreshments under certain circumstances to current or prospective clients during sales presentations and seminars provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by striking subparagraph (b)(8)(C) of Code Section 33-6-4, relating to unfair methods of competition and unfair or deceptive acts or practices, and inserting in lieu thereof a new subparagraph (b)(8)(C) to read as follows:

"(C) Nothing in subparagraphs (A) and (B) of this paragraph shall be construed as including within the definition of discrimination or rebates any of the following practices:

(i) In the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any bonuses

or abatement of premiums shall be fair and equitable to policyholders and for the best interest of the company and its policyholders;

(ii) In the case of life or accident and sickness insurance policies issued on the industrial debit or weekly premium plan, making allowance in an amount which fairly represents the saving in collection expense to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer;

(iii) Making a readjustment of the rate of premium for a policy based on the loss or expense experienced at the end of the first or any subsequent policy year of insurance thereunder, which adjustment may be made retroactive only for the policy year;

(iv) Issuing life or accident and sickness insurance policies covering bona fide employees of the insurer at a rate less than the rate charged other persons in the same class;

(v) Issuing life or accident and sickness policies on a salary-saving, payroll deduction, preauthorized, postdated, automatic check, or draft plan at a reduced rate commensurate with the savings made by the use of such plan;

(vi) Paying commissions or other compensation to duly licensed agents or brokers or allowing or returning dividends, savings, or unabsorbed premium deposits to participating policyholders, members, or subscribers;

(vii) Paying by an insurance agent of part or all of the commissions on public insurance to a nonprofit association of insurance agents which is affiliated with a recognized state or national insurance agents' association, which commissions are to be used in whole or in part for one or more civic enterprises;

(viii) Paying for food or refreshments by an insurer or an agent, broker, or employee of an insurer for current or prospective clients during group sales presentations and group seminars provided that no insurance or annuity applications or contracts are offered or accepted at such presentations or seminars;  
or

(ix) Paying for business meals and entertainment by an insurer or an agent, broker, or employee of an insurer, agent, or broker for current or prospective clients;"

## SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Representative Harbin of the 118th moved that the House agree to the Senate substitute to HB 425.

On the motion, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A

Y Ashe	Y Day	Y Horne	Y McCall	E Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Y Howard, E	Y Meadows	Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Morris	Y Smith, B
Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Casas	Y Greene	Y Lewis	Y Randall	Warren
Y Chambers	Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Heard, J	Lucas	Y Reese	Y Williams, A
Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 154, nays 0.

The motion prevailed.

HB 733. By Representatives Lewis of the 15th, Loudermilk of the 14th and Graves of the 12th:

A BILL to be entitled an Act to amend an Act providing for the compensation of the chief magistrate of the Magistrate Court of Bartow County, approved March 18, 1985 (Ga. L. 1985, p. 3788), as amended, so as to change the compensation of the chief magistrate and the provisions related thereto; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:



**A BILL**

To amend an Act providing for the compensation of the chief magistrate of the Magistrate Court of Bartow County, approved March 18, 1985 (Ga. L. 1985, p. 3788), as amended, so as to change the compensation of the chief magistrate and the provisions related thereto; to provide an effective date; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

**SECTION 1.**

An Act providing for the compensation of the chief magistrate of the Magistrate Court of Bartow County, approved March 18, 1985 (Ga. L. 1985, p. 3788), as amended, is amended by striking Section 1 of said Act and inserting in its place the following:

**"SECTION 1.**

(a) The chief magistrate of the Magistrate Court of Bartow County shall receive a base salary of \$70,000.00 per annum, to be paid in equal monthly installments from the funds of Bartow County.

(b) Beginning on January 1, 2007, and on the first day of January of each year thereafter, the base salary of the chief magistrate shall be increased by 4 percent.

(c) The chief magistrate shall also receive a longevity increase determined by multiplying the sum of the amounts in subsections (a) and (b) of this section by the percentage that equals 5 percent times the number of completed four-year terms of office served by the chief magistrate after December 31, 1996, but not to exceed 25 percent, effective on the first day of January following the completion of each four-year term of office."

**SECTION 2.**

This Act shall become effective on July 1, 2006.

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.

HB 1003. By Representatives Talton of the 145th, O'Neal of the 146th, Floyd of the 147th and Ray of the 136th:

A BILL to be entitled an Act to amend an Act entitled "An Act to make provisions for the Magistrate Court of Houston County," approved March 1, 1984 (Ga. L. 1984, p. 3652), as amended, so as to provide for the election of the chief magistrate and magistrates; to provide for procedures; to provide for the filling of vacancies; to provide for the submission of this Act to the

United States Department of Justice; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

#### A BILL

To amend an Act entitled "An Act to make provisions for the Magistrate Court of Houston County," approved March 1, 1984 (Ga. L. 1984, p. 3652), as amended, so as to provide for the election of the chief magistrate and magistrates; to provide for procedures; to provide for qualifications; to provide that the chief magistrate shall be a full-time magistrate; to authorize assistant magistrates; to provide for the filling of vacancies; to provide for the submission of this Act to the United States Department of Justice; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

#### SECTION 1.

An Act entitled "An Act to make provisions for the Magistrate Court of Houston County," approved March 1, 1984 (Ga. L. 1984, p. 3652), as amended, is amended by striking Sections 1 and 2 of said Act and inserting in lieu thereof the following:

#### "SECTION 1.

The chief magistrate of Houston County shall be elected in the same manner as the judges of the State Court of Houston County. The first such election shall take place at the time of the general election in 2008, and the chief magistrate and magistrates elected at such time shall take office on January 1, 2009, for terms of four years and until their successors are duly elected and qualified. The chief magistrate and magistrates serving on the effective date of this Act shall serve through December 31, 2008. The chief magistrate elected as provided in this section shall be a member in good standing of the State Bar of Georgia, shall be a full-time magistrate, and shall devote his or her full time to the duties of the office. The chief magistrate shall be authorized to employ one or more assistant magistrates.

#### SECTION 2.

A vacancy in the office of chief magistrate shall be filled by an appointment by majority vote of the judges of superior court for the remainder of the unexpired term. A vacancy in the office of any other magistrate shall be filled by an appointment by the chief magistrate with the consent of the judges of superior court for the remainder of the unexpired term. A newly created position of magistrate shall be filled in the same manner as for filling a vacancy if such position is created more than 90 days from the next general election."

**SECTION 2.**

The governing authority of Houston County shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.

HB 1298. By Representative Hanner of the 148th:

A BILL to be entitled an Act to create and establish the Preston-Weston-Webster County Charter and Unification Commission; to provide for a short title; to provide for definitions; to provide for the appointment of the members of said commission; to provide for the organizational meeting of the charter and unification commission and for the election of a chairperson; to provide for the powers and duties of said commission; to provide that the charter and unification commission shall be authorized to employ a staff to assist it in carrying out its powers and duties; to provide for the expenses of the charter and unification commission and for the payment of those expenses by the governing authorities of the City of Preston, the City of Weston, and the County of Webster; to provide for all procedures and other matters connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

**A BILL**

To create and establish the Preston-Weston-Webster County Charter and Unification Commission; to provide for a short title; to provide for definitions; to provide for the appointment of the members of said commission; to provide for the organizational meeting of the charter and unification commission and for the election of a chairperson; to provide for the powers and duties of said commission; to provide that the charter and unification commission shall be authorized to employ a staff to assist it in carrying out its powers and duties; to provide for the expenses of the charter and unification commission and for the payment of those expenses by the governing authorities of the City of Preston, the City of Weston, and the County of Webster; to provide that said commission shall be authorized to study all matters relating to the governments of the County of Webster, the City of Preston, and the City of Weston and all matters relating to the establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Webster County; to provide for the submission of such proposed county-wide

government charter to the qualified voters for approval or rejection; to provide for the conduct of such election and for the certification of the results thereof; to provide for all procedures and other matters connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

This Act shall be known and may be cited as the "Preston-Weston-Webster County Charter and Unification Commission Act" and is enacted pursuant to the authority granted by Article IX, Section III, Paragraph II of the Constitution of the State of Georgia.

**SECTION 2.**

As used in this Act, the following terms shall have the meanings ascribed to them unless the context clearly requires otherwise:

- (1) "Charter and unification commission" or "commission" shall mean the Preston-Weston-Webster County Charter and Unification Commission provided for in this Act.
- (2) "Governing authority of the City of Preston" shall mean the mayor and city council of the City of Preston, a municipal corporation of the State of Georgia.
- (3) "Governing authority of the City of Weston" shall mean the mayor and city council of the City of Weston, a municipal corporation of the State of Georgia.
- (4) "Governing authority of the County of Webster" shall mean the Board of Commissioners of Webster County, a political subdivision of the State of Georgia.

**SECTION 3.**

- (a) There is created the Preston-Weston-Webster County Charter and Unification Commission, which shall consist of nine members to be appointed within 45 days of the effective date of this Act as provided in this section.
- (b) Within 30 days of the effective date of this Act as provided in this section, the governing authority of the City of Preston shall appoint two members to the charter and unification commission who shall be citizens of the City of Preston at the time of such appointment and for the duration of their respective terms as members of such commission.
- (c) Within 30 days of the effective date of this Act as provided in this section, the governing authority of the City of Weston shall appoint one member to the charter and unification commission who shall be a citizen of the City of Weston at the time of such appointment and for the duration of his or her term as a member of such commission.
- (d) Within 30 days of the effective date of this Act as provided in this section, the governing authority of the County of Webster shall appoint four members to the charter and unification commission who shall be citizens of unincorporated Webster County at

the time of such appointment and for the duration of their respective terms as members of such commission.

(e) The seven members of the charter and unification commission provided for in subsections (b), (c), and (d) of this section shall jointly appoint two members to the charter unification commission who shall be citizens of Webster County at the time of such appointment and for the duration of their entire terms as members of such commission.

(f) If a governing authority or the commission refuses or fails to appoint a member of the commission as required by this section, the senior superior court judge of the Southwestern Judicial Circuit shall make such appointment within ten days following the expiration of the 45 day period allowed for appointments provided for in subsection (a) of this section.

(g) No member of the charter and unification commission shall hold any other elective public office.

(h) To be eligible for appointment as a member of the charter and unification commission, a person must be at least 21 years of age and shall have been a resident of the State of Georgia for a period of at least five years and registered as an elector to vote in Webster County for a period of at least two years prior to his or her appointment.

(i) If a member of the charter and unification commission should die, become disabled, remove his or her residence and place of domicile to a place outside the territorial limits of the appointing jurisdiction, resign, or become unable or decline to serve for any reason whatever as a member of the charter and unification commission, said commission shall declare a vacancy in his or her office as a member of such commission and within 15 days thereafter the governing authority that appointed that member or the commission, if the member was appointed by the commission, shall appoint a successor promptly to fill such vacancy.

(j) A certificate of appointment shall be issued by the appointing entity of each member of the charter and unification commission and filed in the office of the Probate Court of Webster County with a duplicate original of such certificate being transmitted to, and filed with, the chairperson or the secretary of the charter and unification commission.

(k) A majority of the members of the charter and unification commission shall constitute a quorum for the transaction of business. Such quorum shall not be applicable with respect to any committees or subcommittees which, at the discretion of the charter and unification commission, may be appointed. A majority of the members of each such committee or subcommittee shall constitute a quorum for the conduct of its business.

(l) The charter and unification commission may appoint advisory committees or subcommittees from among the general populace to advise it with respect to its work; provided, however, that the charter and unification commission may not delegate any of the duties, powers, or obligations imposed upon the commission and granted to it by this Act to any such advisory committee or subcommittee. Any such advisory committee or subcommittee so appointed shall serve at the discretion of the commission and shall serve subject to such terms, conditions, and charges as may be imposed upon it by the commission.

(m) All persons who shall, from time to time, serve as members of the charter and unification commission or its committees or subcommittees and all agents, employees, and staff appointed or hired by the charter and unification commission from time to time shall be afforded coverage and shall be included in the insured class, under the provision of such policies, riders, or other insurance contracts from time to time in force and held by the governing authority of the County of Webster, extending to members of such governing authority of the County of Webster, and what is commonly referred to as "public official's liability insurance coverage," to the same extent and as nearly as practicable with identical coverage and limits as afforded to the individual members of the governing authority of the County of Webster. Any and all additional premium amounts payable by the County of Webster due to the extension of such coverage to the members of the charter and unification commission and its appointees, agents, employees, and staff shall be paid, when due and payable, one-third by the County of Webster, one-third by the City of Preston, and one-third by the City of Weston, which payments shall be made in addition to all other amounts otherwise payable under the provisions of this Act.

(n) The governing authority of the County of Webster, the governing authority of the City of Preston, the governing authority of the City of Weston, and the governing authority of any county-wide government created under a charter adopted pursuant to this Act are authorized and directed to expend funds for fees, costs, and expenses incurred in providing for the defense of the members of the charter and unification commission arising out of their activity as members of such commission and in providing for the defense of any proposed charter submitted by the commission, whether prior to the referendum thereon or after the referendum thereon is conducted.

#### **SECTION 4.**

(a) The charter and unification commission shall hold an organizational meeting not less than 30 days nor more than 45 days after the date this Act becomes effective. Any three or more members of the charter and unification commission, composed of at least one member appointed by the governing authority of the City of Preston, one member appointed by the governing authority of the City of Weston, and one member appointed by the governing authority of the County of Webster, shall call such organizational meeting. The call of such organizational meeting shall designate the time, date, and place that such organizational meeting shall be held.

(b) The first order of business at the organizational meeting shall be the designation, by the majority vote of those members present, of a temporary chairperson to preside until a permanent chairperson is elected. The second order of business at the organizational meeting shall be to jointly appoint two members to the charter and unification commission as provided for in subsection (e) of Section 3 of this Act. The third order of business at the organizational meeting shall be the election of a permanent chairperson, who shall be elected by the majority vote of all members of the charter and unification commission.

(c) The charter and unification commission shall be authorized to elect a secretary, who need not be a member of the commission, and such other officers from the membership of the charter and unification commission as it shall deem necessary. The charter and unification commission shall be further authorized to employ such staff as may be required to assist it in studying all matters relating to the governments of the City of Preston, the City of Weston, and the County of Webster and in drafting a charter. The charter and unification commission shall not employ any person who holds any elective public office.

(d) The members of the charter and unification commission shall not receive per diem or other compensation for their services, but the members shall be reimbursed for actual expenses incurred by them in carrying out their duties. The staff employed by the commission shall be paid compensation as determined by the commission within the limits of funds available to it. The governing authority of the City of Preston, the governing authority of the City of Weston, and the governing authority of the County of Webster are authorized to expend public funds in carrying out the provisions of this Act and shall share equally the expense thereof. The governing authority of the City of Preston, the governing authority of the City of Weston, and the governing authority of the County of Webster shall initially appropriate up to \$5,000.00 for the charter and unification commission and the treasurer or other fiscal authority of each of those governing authorities shall honor, from time to time, vouchers or warrants signed by the chairperson of the charter and unification commission for amounts up to an aggregate total of such amount. The governing authorities shall appropriate such additional funds in equal amounts as may be necessary to meet the expenses of the charter and unification commission, provided that such additional expenditures shall be first approved by each of the governing authorities.

(e) The charter and unification commission is also authorized to solicit, receive, and expend contributions, grants, gifts, and other funds from other sources to be utilized by it in the conduct of its business.

(f) All public officials and employees of the City of Preston, the City of Weston, and the County of Webster upon request shall furnish the charter and unification commission with all documents, books, records, data, and information necessary or appropriate in the opinion of the charter and unification commission for it to carry out its duties, except for information that is confidential or privileged by law; shall furnish such other assistance and aid to the commission as it shall request; and shall appear and give testimony, at the request of the commission, before the commission or before any of its committees, subcommittees, or advisory committees.

## **SECTION 5.**

The commission shall be authorized to study all matters relating to the governments of the City of Preston, the City of Weston, and the County of Webster and all matters relating to the establishment of a single county-wide government with powers and jurisdiction throughout the territorial limits of Webster County. The commission shall upon completion of its study issue a written report of its findings, conclusions, and

recommendations. If, after conducting such study, the charter and unification commission shall deem it to be in the best interests of the governments proposed to be affected, the commission shall draft a proposed charter creating a single county-wide government, and if such charter is approved by the voters under the provisions of this Act, then the newly created county-wide government shall supersede and replace the existing governments of the City of Preston, the City of Weston, and the County of Webster and may also supersede and replace any public authorities and special service districts located and operating within Webster County. If the charter and unification commission does not deem it to be in the best interests of the governments proposed to be affected to recommend the establishment of a single county-wide government but concludes from its study that it is feasible to consolidate specific governmental services, programs, and activities, then the commission may issue such findings, conclusions, and recommendations in writing together with reasons why such recommendations will make government operations more efficient.

#### **SECTION 6.**

(a) The charter so drafted shall be submitted to the qualified voters of Webster County for approval or rejection of the referendum provided for in Section 10 of this Act.

(b) The General Assembly delegates its powers to the charter and unification commission to draft such a charter which may include any provisions necessary to effectuate its purposes. Without limiting the generality of the foregoing, the proposed charter may provide for any one or more of the items listed below. Where it is indicated that an item shall be included, the inclusion of that particular item shall be mandatory:

(1) The charter shall provide for the abolishment of the existing governments of the City of Preston and the County of Webster and for the creation of a new single government which may have all powers formerly exercised by the City of Preston and the County of Webster and such other powers as may be necessary or desirable. The charter may provide for the abolishment of the existing government of the City of Weston and the transfer at all powers formerly exercised by the City of Weston to the new single government. The new single government may be given, and may have, such rights, privileges, exemptions, preferences, discretions, immunities, powers, duties, and liabilities as are now or hereafter granted to, or vested in, municipalities or counties or both by the Constitution and laws of the State of Georgia. The form and composition of the new government shall be as the charter shall provide;

(2) The charter may authorize the new government to continue to be eligible to have, hold, enjoy, and be entitled to any assistance, credits, benefits, moneys, grants, grants-in-aid, funds, loans, aid, appropriations, and matching funds to the same extent that any municipality or county of the State of Georgia now or may hereafter enjoy or possess under the Constitution and laws of the State of Georgia or by other provisions of law or under any present or future state or federal programs;

(3) The charter may provide for the abolishment, modification, consolidation, or merger of any court unless otherwise prohibited by the Constitution or general law;



(4) The charter may provide for the abolishment, modification, consolidation, or merger of any public authorities and special service districts located within Webster County created by law and for the transfer of any powers, duties, and obligations of such authorities and districts to the new county-wide government or to any agency thereof or from one such authority or special service district to another in such manner as the charter shall provide unless otherwise prohibited by the Constitution or general law;

(5) The charter may provide for the abolishment, modification, consolidation, or merger of any one or more public offices or positions of public employment of any municipality merged in the county-wide government and the County of Webster and any public authorities or special service districts located or operating within Webster County unless otherwise prohibited by the Constitution or general law. The charter may provide for administrative division or changes with reference to the duties and responsibilities of any public office or official as the charter and unification commission shall deem necessary for the efficient functioning of the new county-wide government;

(6) The charter shall provide for the creation of the governing authority of the new county-wide government, including the number of members of the governing authority, their powers, duties, terms of office, manner, and time of election or appointment, compensation, method of removal, and all other matters incidental or necessary to the creation of the county-wide governing authority. The charter shall provide for the name or names of the new county-wide government and governing authority;

(7) The charter may provide for the creation of the various departments, boards, bureaus, offices, commissions, and positions of public employment of the new county-wide government and for any matters necessary or incidental thereto;

(8) The charter shall provide for the creation of special tax districts consisting of the territory lying within the former boundaries of the affected governments for the purpose of the successor county-wide government levying a tax therein sufficient to retire any bonded indebtedness of such governments which is outstanding on the effective date of the abolishment of such government;

(9) The charter may provide for the assumption by the new government of all bonded indebtedness and all other obligations of whatever kind of all governmental units, public authorities, and special service districts which are altered by the charter and a method by which the new county-wide government shall assume the payment of any obligations issued under Article 3 of Chapter 82 of Title 36 of the O.C.G.A., the "Revenue Bond Law," or other similar legislation;

(10) The charter may provide for the transfer to the new county-wide government of assets, contracts, and franchises of all governmental units and any public authorities and special service districts which are merged with the new county-wide government or are altered by the charter;

(11) The charter may provide the purposes for which the new county-wide government or governing authority or any agency thereof may levy taxes;

(12) The charter shall provide for the method or methods by which it may be amended. The General Assembly expressly reserves the right to amend any charter adopted pursuant to this Act. The charter may provide for an additional method or methods by which the charter may be amended and shall provide for any amendments adopted by any such other method or methods to be filed with the Secretary of State so that they may be published in the *Georgia Laws*;

(13) The charter shall provide for the repeal of conflicting laws; and

(14) The charter may contain such other provisions as are necessary and needful to achieve the objectives of consolidation of the governments and functions of the City of Preston, the City of Weston, and the County of Webster and the creation of a successor government.

(c) The following additional provisions shall govern proceedings of the charter and unification commission and any successor county-wide government created by a charter drafted by the commission:

(1) The charter and unification commission is authorized to contract with any public or private institution or body, including the Carl Vinson Institute of Government, for any special studies or assistance it deems necessary, subject to the limitation that any expenditure therefor shall be within the limits of the funds made available to the commission by the respective governing authorities; and

(2) Any successor government created and established shall, without the necessity or formality of deed, bill of sale, or other instrument of transfer, be and become the owner of all property, assets, and rights previously belonging to the City of Preston, the City of Weston, and the County of Webster and any other authorities or special service districts merged into the new government.

(d) The charter and unification commission shall have all the powers of the superior courts to compel the attendance of witnesses before the commission and any of its committees, subcommittees, or advisory committees; to compel witnesses to testify thereat; and to subpoena any person or entity and all such books, records, data, papers, documents, and other tangible items which may be deemed by the commission to be material to any question or issue deemed by it to be relevant to the duties or prerogatives imposed upon or granted to the commission by this Act. Such subpoenas shall be issued in the name of the commission, shall be signed by either the chairperson or the secretary of the commission, and shall be served in the manner provided by law for the service of subpoenas in civil cases pending in the superior courts. Witnesses subject to such subpoenas shall be entitled to the same compensation as witnesses attending superior court, which compensation shall be collected in the same manner as that of witnesses in the superior courts except that such compensation shall be paid from funds of the commission. Should any such subpoenaed person or witness fail or refuse to answer questions propounded or fail or refuse to produce any books, records, data, papers, documents, or other tangible items required to be produced by the commission, except upon a legal excuse which would relieve such person of such obligation in a civil case pending in the superior court, the person so failing or refusing shall be guilty of contempt and may be cited by the commission to appear before a judge of the Southwestern

Judicial Circuit. The judge of such court shall have the same power and jurisdiction to punish the person cited for contempt and to require and compel the attendance, the giving of testimony, or the production of items as in cases of contempt committed in the presence of the court and as in cases pending before the court.

(e) Notwithstanding any other provisions of this Act, the charter and unification commission and the charter proposed by the commission and subsequently adopted may not:

- (1) Alter or affect the status of the Webster County School System or the Webster County Board of Education or any provision of the Constitution or laws of the State of Georgia by which the Webster County School System is constituted, empowered, or preserved or to transfer any of its powers, duties, or obligations;
- (2) Impair or diminish any pension or retirement rights; or
- (3) Abolish the office of sheriff, clerk of court, judge of probate court, or tax commissioner.

(f) None of the foregoing limitations shall be construed as prohibiting the General Assembly from exercising any legislative power with respect to any municipality electing to be excluded as provided in this Act or the school district, board of education, industrial development authority, office of sheriff, clerk of superior court, judge of probate court, or tax commissioner, pension rights, and homestead exemptions which existed prior to the adoption of this Act.

(g) The powers granted in this Act to the charter and unification commission by the General Assembly are remedial in nature and shall be liberally construed to effectuate their purpose.

#### **SECTION 7.**

(a) The charter and unification commission shall be required to hold at least two public hearings to determine the sentiment of the citizens of the City of Preston, the City of Weston, and the County of Webster regarding the work of the charter and unification commission. The first public hearing shall be held within 30 days of the issuance of the commission's final written report on the feasibility of establishing a single county-wide government within Webster County, and a second public hearing shall be held within 15 days of the submission of any proposed charter for such consolidated government to the Webster County Board of Elections. The charter and unification commission is authorized to hold more than two public hearings if it determines that additional public hearings are desirable. The charter and unification commission shall cause the date, time, and place of each such hearing to be advertised in the official organ of Webster County once a week for two consecutive weeks during the two weeks next preceding the week in which the public hearing is held. The charter and unification commission shall cause to be made a transcript of each public hearing held and shall file the same in its minutes and records.

(b) Following issuance of the commission's final written report, the governing authorities of the City of Preston, the City of Weston, and the County of Webster shall each hold and conduct a public hearing to determine the sentiments of their citizens regarding the work

of the charter and unification commission. Notice of such hearings shall be advertised in the same manner as required for hearings held by the charter and unification commission. Representatives of the charter and unification commission shall be invited to present the final report to such governing authorities.

#### **SECTION 8.**

(a) The charter and unification commission shall complete its studies and shall prepare, complete, and file any proposed charter no later than August 31, 2008; provided, however, that the above-described time period may be extended for such additional periods of time as may be authorized by resolutions duly adopted by the governing authority of the City of Preston and the governing authority of the County of Webster and may also be extended by an Act of the General Assembly and shall be automatically extended for a period of time equal to the period of time that any proposed charter shall be under consideration by the United States Department of Justice or by any courts.

(b) Certified copies of the charter shall be filed by the charter and unification commission with the clerks or secretaries of the governing authorities of the City of Preston, the City of Weston, and the County of Webster and shall be authenticated by the signature of the chairperson of the charter and unification commission. Such copies shall be public records and shall be available for inspection or examination by any interested person.

(c) The charter and unification commission shall also make available a copy of the charter to every daily or weekly newspaper published in Webster County and to each radio or television station operating within the county. The commission shall take such other steps, within the limitation of its available funds, as it deems reasonable and appropriate to inform the public throughout the county of the contents of the proposed charter. The charter and unification commission shall also cause a summary of the proposed charter to be printed in pamphlets or booklets and made available for general distribution throughout the county.

(d) The charter and unification commission is authorized to adopt such rules and regulations as it deems necessary or desirable to carry out its powers and perform its duties and functions.

(e) Following the completion of the proposed charter by the charter and unification commission and prior to the time of filing or submission thereof as provided in this Act, the same shall be presented for review by the United States Department of Justice as may be required by law. The failure of any proposed charter submitted by the charter and unification commission to the Department of Justice to obtain preclearance by the Department of Justice shall not prevent the charter and unification commission from revising said charter in a manner so as to enable the proposed charter to meet Department of Justice objections with respect thereof, and the charter and unification commission is empowered to redraft any such proposed charter in such manner so as to meet requirements for the Department of Justice's approval in the event that any initial proposed charter fails to obtain Department of Justice approval.

**SECTION 9.**

(a) A certified copy of the proposed charter shall be submitted by the commission to the election superintendent of Webster County, and it shall be the duty of such superintendent to call and hold a referendum election for ratification or rejection of the proposed charter as provided in Section 10 of this Act.

(b) The charter and unification commission shall be abolished by operation of law at midnight of the day the results of the special referendum election on the proposed charter become final and effective pursuant to the laws of the State of Georgia.

**SECTION 10.**

(a) As soon as practicable after receipt of the certified copy of the proposed charter and after receipt of preclearance, or the usual notice of no current objections, by the United States Department of Justice of such proposed charter, it shall be the duty of the election superintendent of Webster County to call a special election for approval or rejection of the proposed charter. The election superintendent shall set the date of the election for the earliest date therefor permissible under general law after the filing of any proposed charter as provided for in Section 8 of this Act. The election superintendent shall cause the date and purpose of the election to be published once a week for two calendar weeks immediately preceding the date thereof in the official organ of Webster County. The ballot shall have written or printed thereon the following:

- "( ) YES Shall the charter reorganizing and consolidating the governments of the City of Preston, the City of Weston, and the County of Webster and  
( ) NO creating a single county-wide government to supersede and replace those governments be approved?"

(b) All persons desiring to vote for approval of the charter shall vote "Yes," and those persons desiring to vote for rejection of the charter shall vote "No." The votes cast on such question by the qualified voters of Webster County residing within the corporate limits of the City of Preston and the votes cast on such question by the qualified voters of Webster County shall be counted separately. If more than one-half of the votes cast by the qualified voters of Webster County residing within the corporate limits of the City of Preston are for approval of the charter and if more than one-half of the total votes cast by the qualified voters residing within both the incorporated and unincorporated areas of Webster County are for approval of the charter, then the charter shall become effective as to the City of Preston and Webster County. Otherwise, it shall be void and of no force and effect. In addition, the votes cast on such question by the qualified voters of Webster County residing within the corporate limits of the City of Weston shall be counted separately. If more than one-half of the votes cast by the qualified voters of Webster County residing within the corporate limits of City of Weston are for approval of the charter and if more than one-half of the votes cast by the qualified voters of Webster County residing within the corporate limits of the City of Preston are for approval of the charter and if more than one-half of the total votes cast by the qualified voters residing within both incorporated and unincorporated areas of Webster County are for approval of

the charter, then the charter of the City of Weston shall be revoked upon the election of members of the single county-wide governing authority and the City of Weston shall be abolished. The expense of such election shall be borne equally by the City of Preston, the City of Weston, and the County of Webster.

(c) The special election shall be conducted pursuant to Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," except to the extent specifically provided otherwise by this Act.

(d) A qualified voter, as used in this Act, shall mean a voter of Webster County qualified to vote for members of the General Assembly of Georgia. The election superintendent shall certify the returns to the Secretary of State. The election superintendent shall also furnish a certified copy of the charter to the Secretary of State. The Secretary of State shall issue his or her proclamation showing and declaring the result of the election on the approval or rejection of the charter. One copy of the proclamation shall be attached to the copy of the charter certified to the Secretary of State. One copy of the proclamation shall be delivered to the secretary or clerk of the governing authority of the City of Preston, who shall attach the same to the copy of the charter previously certified to him or her. One copy of the proclamation shall be delivered to the clerk of the governing authority of the County of Webster, who shall attach the same to the copy of the charter previously certified to him or her. If the charter was approved by the City of Preston and the County of Webster and was approved by the City of Weston, one copy of the proclamation shall be delivered to the secretary or clerk of the governing authority of the City of Weston, who shall attach the same to the copy of the charter previously certified to him or her.

(e) Whenever a charter for the consolidation of the governments of the City of Preston, the City of Weston, and the County of Webster has been adopted, the above-certified copies thereof, with the proclamation of the Secretary of State of Georgia attached thereto, shall be deemed duplicate original copies of the charter of the consolidated government for all purposes. The certified copy of the charter and proclamation deposited with the secretary or clerk of the governing authority of the City of Preston, the certified copy of the charter and proclamation deposited with the secretary or clerk of the governing authority of the City of Weston, and the certified copy of the charter and proclamation deposited with the clerk of the governing authority of the County of Webster shall subsequently be delivered by them to the successor government. The successor government may issue certified copies of the charter, and any copy so certified shall be deemed a duplicate original copy of the charter of the consolidated government for all purposes. The Secretary of State is authorized to issue certified copies of the charter on file with him or her, and copies so certified by him or her shall be deemed duplicate original copies of the charter of the consolidated government for all purposes.

#### **SECTION 11.**

In the event the proposed single county-wide government charter is approved by voters as provided in Section 10 of this Act, an election shall be held in accordance with the provisions of the charter to elect the members of the governing authority of the county-

wide government. Upon the election of the members of the governing authority and their taking office as the governing authority of the county-wide government, the existing governments of the City of Preston; the City of Weston, if the voters of the City of Weston approved such charter as provided in Section 10 of this Act; and the County of Webster shall stand abolished, all in accordance with the provisions of the charter of the new county-wide government.

#### **SECTION 12.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

#### **SECTION 13.**

All laws and parts of laws in conflict with this Act are repealed.

HB 1351. By Representatives Dickson of the 6th and Meadows of the 5th:

A BILL to be entitled an Act to provide a homestead exemption from Murray County school district ad valorem taxes for educational purposes in the amount of \$80,000.00 of the assessed value of the homestead for residents of that school district who are at least 70 years of age; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

#### **A BILL**

To provide a homestead exemption from Murray County school district ad valorem taxes for educational purposes in the amount of \$80,000.00 of the assessed value of the homestead for residents of that school district who are at least 70 years of age; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

#### **SECTION 1.**

(a) As used in this Act, the term:

(1) "Ad valorem taxes for educational purposes" means all ad valorem taxes for educational purposes levied by, for, or on behalf of the Murray County school district,

including, but not limited to, ad valorem taxes to pay interest on and to retire county school district bonded indebtedness.

(2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.

(3) "Senior citizen" means a person who is at least 70 years of age on or before January 1 of the year in which application for the exemption under this Act is made.

(b) Each resident of the Murray County school district who is a senior citizen is granted an exemption on that person's homestead from all Murray County school district ad valorem taxes for educational purposes in the amount of \$80,000.00 of the assessed value of that homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.

(c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the tax commissioner of Murray County giving the person's age and such additional information relative to receiving such exemption as will enable the tax commissioner to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The tax commissioner shall provide application forms for this purpose.

(d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year as long as the owner occupies the residence as a homestead. After a person has filed the proper application as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year, and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under this Act to notify the tax commissioner of Murray County in the event that person for any reason becomes ineligible for that exemption.

(e) The exemption granted by subsection (b) of this section shall not apply to or affect any state ad valorem taxes, county ad valorem taxes for county purposes, municipal ad valorem taxes for municipal purposes, or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in lieu of and not in addition to any other homestead exemption applicable to Murray County school district ad valorem taxes for educational purposes except that homestead exemption granted pursuant to an Act approved May 17, 2004 (Ga. L. 2004, p. 4535).

(f) The exemption granted by this Act shall apply to all taxable years beginning on or after January 1, 2007.

## **SECTION 2.**

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Murray County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the Murray County school district for approval or rejection. The election superintendent shall conduct that election on the date of the November, 2006, state-wide general election and shall issue the call and conduct that election as provided by general law. The election superintendent shall



cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Murray County. The ballot shall have written or printed thereon the words:

- "( ) YES Shall the Act be approved which provides a homestead exemption from Murray County school district ad valorem taxes for educational purposes  
( ) NO in the amount of \$80,000.00 of the assessed value of the homestead for residents of that school district who are at least 70 years of age?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2007. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by Murray County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

### SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

### SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the agreement to the Senate substitutes, the roll call was ordered and the vote was as follows:

E Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	E Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Y Barnes	Y Dickson	Howard, E	Y Meadows	Shaw
Y Bearden	Y Dodson	Y Hudson	E Millar	Y Sheldon
Y Beasley-Teague	Y Dollar	Y Hugley	Mills	Y Sims, C
Y Benfield	Y Drenner	Y Jackson	Y Mitchell	Y Sims, F
Y Benton	Y Dukes	Y Jacobs	Y Morgan	Y Sinkfield
Y Black	Y Ehrhart	Y James	Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Mosby	Y Smith, L
Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V

Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Forster	Y Keen	O'Neal	Y Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	Y Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	N Rogers	Y Wix
Cooper	Y Henson	Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the agreement to the Senate substitutes, the ayes were 154, nays 1.

The House has agreed to the Senate substitutes.

The following Resolutions of the House and Senate were read and adopted:

HR 1925. By Representative Davis of the 109th:

A RESOLUTION expressing regret at the passing of Irene Elaine Wilde; and for other purposes.

HR 1926. By Representative Hembree of the 67th:

A RESOLUTION commending Shelley Backstrom, Laura Bailey, Megan Livingston, and Lauren Sproul, winners of the 2006 "What Would You Say?" contest; and for other purposes.

HR 1927. By Representatives Reece of the 27th, Mills of the 25th and Rogers of the 26th:

A RESOLUTION expressing regret at the passing of Eugene Calvin "Gene" Reynolds; and for other purposes.

HR 1928. By Representatives Reece of the 27th, Mills of the 25th and Rogers of the 26th:

A RESOLUTION remembering and honoring the life of Mr. B. Keith Rochester; and for other purposes.

HR 1929. By Representatives Reece of the 27th, Mills of the 25th and Rogers of the 26th:

A RESOLUTION expressing regret at the passing of Reuben Aaron "R.A." Miller; and for other purposes.

HR 1930. By Representative Hembree of the 67th:

A RESOLUTION commending Paul Andrew Thornton on becoming an Eagle Scout; and for other purposes.

HR 1931. By Representative Brown of the 69th:

A RESOLUTION remembering and honoring the life of Mr. Eddie Lowe; and for other purposes.

HR 1932. By Representative Jordan of the 77th:

A RESOLUTION to commend Toni Watkins and the Toni Watkins Show; and for other purposes.

HR 1933. By Representatives Ehrhart of the 36th and Richardson of the 19th:

A RESOLUTION commending Robert L. Moultrie; and for other purposes.

HR 1934. By Representative Jenkins of the 8th:

A RESOLUTION recognizing and commending Roy Hamby; and for other purposes.

HR 1935. By Representative Channell of the 116th:

A RESOLUTION celebrating the arrival of Grace Pauline Mason; and for other purposes.

HR 1936. By Representative Channell of the 116th:

A RESOLUTION celebrating the birth of John Scott Shepherd, Jr.; and for other purposes.

HR 1937. By Representative Channell of the 116th:

A RESOLUTION celebrating the birth of Elizabeth Cravey Shepherd; and for other purposes.

HR 1938. By Representative Channell of the 116th:

A RESOLUTION celebrating the birth of Henry Conway Shepherd; and for other purposes.

SR 1244. By Senators Johnson of the 1st, Harp of the 29th, Douglas of the 17th, Williams of the 19th, Tolleson of the 20th and others:

A RESOLUTION recognizing and thanking an American hero, General H. Norman Schwarzkopf; and for other purposes.

The following message was received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed by substitute, by the requisite constitutional majority, the following bill of the House:

HB 1012. By Representatives Millar of the 79th, Watson of the 91st, Chambers of the 81st, Jennings of the 82nd and Jacobs of the 80th:

A BILL to be entitled an Act to amend Code Section 36-82-1 of the Official Code of Georgia Annotated, relating to requirements and conditions applicable to general obligation bonds, so as to provide for additional bond performance audit requirements; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Senate insists on its substitutes to the following bills of the House:

HB 173. By Representative Lunsford of the 110th:

A BILL to be entitled an Act to amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal

under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 912. By Representative Fleming of the 117th:

A BILL to be entitled an Act to amend Code Section 9-11-34 of the Official Code of Georgia Annotated, relating to production of documents and things and entry upon land for inspection and other purposes, so as to change certain provisions relating to applicability to nonparties; to provide that silence may act as a waiver under certain circumstances; to change certain provisions relating to confidentiality; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate insists on its amendments to the following bills of the House:

HB 81. By Representatives Day of the 163rd, Stephens of the 164th, Bryant of the 160th, Jackson of the 161st and Scott of the 2nd:

A BILL to be entitled an Act to amend Code Section 48-5-40 of the Official Code of Georgia Annotated, relating to definitions regarding ad valorem tax exemptions, so as to provide that, with respect to all homestead exemptions, the unremarried surviving spouse of a deceased spouse who has been granted a homestead exemption shall continue to receive that exemption so long as that unremarried surviving spouse continues to occupy the home as a residence and homestead; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1032. By Representatives Lunsford of the 110th, Ralston of the 7th, Forster of the 3rd, England of the 108th, Ehrhart of the 36th and others:

A BILL to be entitled an Act to amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to license to carry a pistol or revolver and temporary renewal permit, so as to provide for certain restrictions on the issuance of such permit; to provide for a background check for permit renewals; to provide for a check of United States Immigration and Customs Enforcement records for noncitizen applicants; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Representative Harbin of the 118th District, Chairman of the Committee on Appropriations, submitted the following report:

Mr. Speaker:

Your Committee on Appropriations has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 556      Do Pass, by Substitute

Respectfully submitted,  
/s/ Harbin of the 118th  
Chairman

Representative Day of the 163rd District, Chairman of the Committee on Public Safety, submitted the following report:

Mr. Speaker:

Your Committee on Public Safety has had under consideration the following Resolution of the House and has instructed me to report the same back to the House with the following recommendation:

HR 1692      Do Pass, by Substitute

Respectfully submitted,  
/s/ Day of the 163rd  
Chairman

Representative Williams of the 4th District, Chairman of the Committee on Regulated Industries, submitted the following report:

Mr. Speaker:

Your Committee on Regulated Industries has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 495      Do Pass

Respectfully submitted,  
/s/ Williams of the 4th  
Chairman

The following Resolution of the House, referred to the House Rules Subcommittee on Invites, was reported by the Committee on Rules with the following recommendation:

HR 1694 Do Pass

Representative Smith of the 168th District, Chairman of the Committee on State Planning and Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning and Community Affairs has had under consideration the following Bill and Resolution of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HR 1791 Do Pass, by Substitute  
SB 202 Do Pass

Respectfully submitted,  
/s/ Smith of the 168th  
Chairman

Representative Smith of the 129th District, Chairman of the Committee on Transportation, submitted the following report:

Mr. Speaker:

Your Committee on Transportation has had under consideration the following Bill and Resolutions of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 150	Do Pass, by Substitute	SR 1028	Do Pass, by Substitute
SR 873	Do Pass, by Substitute	SR 1034	Do Pass, by Substitute

Respectfully submitted,  
/s/ Smith of the 129th  
Chairman

The following Resolution of the House, favorably reported by the Committee on Rules, was read and adopted:

HR 1694. By Representative Rice of the 51st:

A RESOLUTION commending the Wesleyan Lady Wolves on a championship season and inviting the team and its coaches to appear before the House of Representatives; and for other purposes.

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned until 10:00 o'clock, tomorrow morning.